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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-sixth session

REPORT OF THE SUB-COMMITTEE OF THE WHOLE ON INTERNATIONAL PROTECTION

I. INTRODUCTION

1. The Sub-Committee of the Whole on International Protection (Sub-Committee) met on 13 October 1995 under the chairmanship of His Excellency Ambassador J. Esper Larsen (Denmark). The Sub-Committee adopted the agenda contained in document EC/SCP/90.

2. The Chairman began by welcoming all Sub-Committee members and observers, the Director of the Division of International Protection, and other UNHCR staff who were involved in the work of the Sub-Committee.

II. REPORT OF THE 21 JUNE MEETING OF THE SUB-COMMITTEE

3. The Report of the 21 June 1995 Meeting of the Sub-Committee of the Whole on International Protection (EC/1995/SCP/CRP.4) was adopted without amendment.

III. NOTE ON INTERNATIONAL PROTECTION

4. Introducing the Note on International Protection (A/AC.96/850), the Director of International Protection observed that this year's discussion came at a time when the international community generally is showing increased anxiety over the real, potential and perceived burden of caring for and protecting people uprooted by civil war and violent political disputes.

5. He reminded delegations that positive action and jurisprudence by many States has carefully built up a system of protection which has responded humanely and effectively to the needs of millions of refugees each year. For example, in less than two months last year, poor countries in Africa received more than a quarter of Rwanda's population, over 2 million persons; and some 700,000 people fleeing Bosnia and Herzegovina and Croatia have found refuge in Western Europe. The Director also recalled the successes of the international community in finding solutions to refugee problems. In recent years, for example, most refugees have safely and permanently returned to Cambodia, El Salvador, Mozambique, Namibia and South Africa. The Director noted that States, with the support of international and non-governmental organizations (NGOs), have made the international system for refugee protection work, despite difficulties, by generally supporting an agreed framework of principles as the basis for concerted action.

6. In recent months, however, the world had seen women and children fleeing conflict being forced into dangerous areas, asylum-seekers held in sub-human conditions of detention, and thousands of refugees harshly *refouled*. Other worrisome trends include the narrowing of formal refugee recognition to minimum levels, attempts to streamline procedures to the exclusion of fair appeals before deportation, and efforts to constrict entitlement to basic rights for various groups of victims of civil conflict. The Director stressed that these tendencies are of particular concern to UNHCR when led by some of the nations that founded the system of human rights and refugee protection, and whose jurisprudence continues to be closely followed by the rest of the world.

7. The Director emphasized that this year's Note attempts to address these problems as well as a range of other issues relevant to extending international protection to all who require it as a result of mass outflows, especially from conflict. It also includes a number of considerations which UNHCR regards as central to any plan to fortify the international protection system. Among these are the need to develop constructive regional standards based on a liberal interpretation of the basic refugee instruments, and to avoid restrictive legal interpretations, especially those arising more out of concerns over illegal immigration than refugee movements.

8. Despite their age and obvious limitations, the Director suggested that the 1951 Convention and its 1967 Protocol remained a unique and irreplaceable bill of refugee rights. As they are constitutional safeguards, every effort must be made not to weaken or restrict them, or conveniently to suggest that they are no longer relevant. Recalling that two-thirds of all States are parties to the two instruments, he hoped that this number will soon include all Members and Observers of the Executive Committee. The Director concluded by recalling that the international refugee protection regime had come a long way in the last 50 years, but in 1995 faced new challenges not anticipated by its founders. He hoped that the discussion of the issues outlined in the Note would eventually enable the attainment of a new international consensus on the system needed to ensure protection and promote solutions to refugee crises in the coming years.

9. In the ensuing debate, the Note was widely praised for its concise but comprehensive discussion of protection developments over the years and, in particular, protection in situations of mass influx. Several delegations

welcomed the inclusion of two main elements in the Note: strengthening the legal protection of refugees, including those fleeing conflict; and alleviating the burden placed on many developing countries by mass influxes of refugees.

10. There was widespread agreement and support among delegations that the 1951 Convention and its 1967 Protocol remain the principal instruments of international refugee protection. In this regard, active measures must be taken to encourage accession and adherence to these instruments. Several delegations agreed that accession, in itself, is insufficient to guarantee a consistent and generous response to refugee needs. Equally important is the question of implementation of the refugee instruments. Delegations encouraged UNHCR to continue its promotion efforts and to assist States in their implementation of the refugee instruments. One delegation supported UNHCR's search for complementary strategies, which need to be both innovative and generous. While concerned that UNHCR might become overextended, another delegation nonetheless underlined that UNHCR should also assist and protect others in need, such as internally displaced and stateless persons.

11. On the issue of guiding principles for the provision of international protection to all who require it, several delegations welcomed such a proposal and suggested the creation of an open-ended informal working group to undertake this task. Other delegations reserved their position on the matter. One delegation suggested that the format for future work in this area is not as important as the need to start actual work on the guidelines. This could be facilitated if UNHCR identified a few elements for consultation and called on interested countries to proceed with discussions. Another delegation stressed that the guidelines related to the protection of persons fleeing from conflict, and not to the problems of mass influx, while a number of delegations referred to the need for flexible and pragmatic solutions. One delegation noted, with reference to the June Sub-Committee, that it is important to keep the necessary flexibility for temporary protection, while preserving its application within the framework of national legislation, and that it is appropriate, in discussing this theme, to guard against the elaboration of overly rigid guiding principles.

12. The issue of burden-sharing was addressed by several delegations. Speaking on behalf of a regional grouping, one delegation indicated that the group was currently working on the subject of burden-sharing among its members, with a view to improving coordination and the speed of response to crises. Another delegation maintained that burden-sharing in relation to affording temporary protection and resettlement seems most appropriate and often is carried out most efficiently in a regional context. Several delegations shared the Note's suggestion that international solidarity with both countries of asylum and countries of origin must be enhanced. It was observed by most that concerted action by the international community is needed to strengthen the capacity of the most affected States to receive and maintain refugees. A few delegations suggested that international solidarity and burden-sharing must be maintained until the eventual return of refugees, just as the protection of refugees should continue until durable solutions are found. However, one delegation would have preferred to see the principle of state responsibility, both for countries of asylum and countries of origin, further emphasized.

13. The issue of return was a recurring theme in several statements. Return was identified as the solution preferred by those most directly affected, the refugees. Some delegations suggested that international cooperation and solidarity with the countries in need is directly linked to the ultimate goal of return. One delegation, noting a close and direct link between the issue of return and that of post-conflict reconstruction and recovery, welcomed the Note's strong emphasis on issues such as human rights, the rule of law, reconciliation and the rehabilitation of structures and facilities in the country of origin.

14. A few delegations reiterated that individual asylum-seekers who are rejected through fair and transparent screening procedures should be returned, preferably on a voluntary basis. In this connection, it was recalled that countries of origin have an obligation to accept their citizens in such situations. One delegation urged UNHCR to develop further its role in monitoring the return of rejected cases and assisting with the reintegration of returning populations. It was observed by some delegations that failure to return rejected asylum-seekers poses a threat to the system of asylum. Some delegations noted that population movements involve persons in need of protection as well as those moving for purely economic reasons. The international system for refugee protection is being seriously challenged by economic migratory movements. While several delegations emphasized the need for States to combat illegal immigration, one delegation observed that the best way to discourage abusive asylum claims is to have an asylum procedure with proper eligibility criteria and adequate procedural safeguards, and which is equipped to reach prompt decisions, as well as a consistent policy to deal with persons who do not require international protection. One delegation urged UNHCR to continue elaborating solution-oriented, multi-dimensional approaches to situations of mass coerced population movements, including refugee-like situations.

15. A number of delegations reiterated the importance of closely monitoring developments in countries of origin. One delegation cautioned, however, that the legal status of internally displaced persons differs from that of refugees and, because the internally displaced continue to receive the protection of their Government, such displaced persons normally need international assistance, rather than protection.

16. The increasing use of temporary protection in situations of mass influx was identified by a number of delegations as a useful way of streamlining approaches to bridge the *lacunae* in the international protection regime. One delegation announced that in its country, many persons from the former Yugoslavia who had already been afforded temporary protection status are now being granted refugee status. Another delegation maintained that temporary protection, when applied in a manner consistent with the principle of *non refoulement*, can help avoid congestion for asylum procedures and create public solidarity and support. At least one delegation was of the view that a temporary protection regime should be separate and distinct from the international protection regime envisaged by the 1951 Convention and its 1967 Protocol.

17. One delegation noted with disappointment that there was no reference in the Note to resettlement as an instrument of protection. In its view, UNHCR did not appear to be putting into place its policy of using

resettlement as an instrument of protection, or as an appropriate and necessary durable solution for some refugees. Another delegation welcomed the recent recognition by the Beijing Conference on Women that sexual violence and other gender-related persecution can be grounds for the granting of refugee status under the 1951 Convention.

18. At least one delegation expressed deep concern for recent violations of the principle of *non refoulement*, as well as the hardening attitudes of some countries regarding refugee rights. Several delegations also stressed the need for efforts to stem the tide of recent xenophobic and racist tendencies. Others expressed concern at recent incidents in which refugees have been subjected to physical attacks. Addressing the issue of security in refugee camps, one delegation strongly endorsed the paragraph in the Note which recalls that the safety of refugee camps and settlements is predicated on their exclusively civilian and humanitarian character, and on the duty of refugees and host authorities to abstain from any activity likely to detract from this. It added that any action or omission which facilitates armed activities intended to destabilize Governments or any other hostile activity which may endanger safety and stability of States are clearly incompatible with the established principles governing the safety of refugee camps and settlements.

19. Responding to the debate, the Director of International Protection thanked delegations for their constructive comments. He replied that the Symposium on Gender-Based Persecution is scheduled for February 1996, and invitations and participants' lists would be sent out shortly. In this regard, he informed delegations that the Guidelines on Protection of Refugee Women are being revised for publication in 1996. In response to another question, the Director stressed that resettlement remains a key protection device for UNHCR. UNHCR's recent appeal for resettlement places for refugees from the former Yugoslavia and its contingency plan for that need was a direct recognition of the importance of resettlement as a tool of protection. The Director referred to the major resettlement consultation with selected States taking place the following day, 14 October, as further indication of its importance to the work of UNHCR. In addition, UNHCR is updating a Handbook on Resettlement which will be published next year. Finally, on the issue of guiding principles to provide international protection to persons who require it, the Director informed delegations that UNHCR remains open and available to Committee members for their suggestions on the process for going ahead with the preparation of such principles.

20. The Chairman thanked the Director and delegations for their comments and summarized the issues raised in the discussions. He reiterated the delegates' praise for the Note. A number of delegations had pointed to the usefulness of establishing further guidelines in order to bridge the lacunae in the international protection regime. The clear need for countries of asylum to honour their obligations had been expressed. Delegations had also stressed the need for countries of origin to receive and assist their returning citizens. Several delegations referred to their continued readiness to shoulder their responsibilities; some of these, at the same

time, pointed to the growing misuse of the system of asylum. The Chairman also noted that some delegations had rightly referred to the importance of respect for human rights and the linkage between human rights and the process of repatriation. Finally, he recalled, at least one delegation had referred to the question of safety and demilitarization of the refugee camps.

IV. UNHCR'S ACTIVITIES ON BEHALF OF STATELESS PERSONS

21. The Chairman recalled that the Executive Committee had, at its forty-fifth session, noted the persistent problems of stateless persons and called upon UNHCR to strengthen its efforts in this domain, while keeping the Executive Committee informed of these activities. He referred to the June 1995 session of the Sub-Committee, during which States agreed upon the importance of UNHCR's involvement with the issue.

22. The Chief of the General Legal Advice Section introduced the Note on Current UNHCR Activities on Behalf of Stateless Persons (EC/1995/SCP/CRP.6). She indicated that it is an issue in which the Executive Committee has shown growing interest and concern. Executive Committee Conclusions relating to the problem of statelessness date back to 1988, while the United Nations General Assembly resolution of that year on UNHCR noted "the close connection between the problems of refugees and of stateless persons" and invited States "actively to explore and promote measures favourable to stateless persons in accordance with international law." She stated that the current interest in addressing statelessness was linked to two additional trends: the greater emphasis on preventive activities, which can attenuate factors that might otherwise produce refugee flows, and the increased recognition of the role countries of origin must play in the search for solutions.

23. The Chief recalled that UNHCR participated in the Conference which drafted the 1954 Convention relating to the Status of Stateless Persons. UNHCR had advised on legislation in a number of situations, and intervened on behalf of individuals in others. She informed delegates of the compilation of relevant extracts of legislation pertaining to citizenship of the States parties to the 1961 Convention on the Reduction of Statelessness. The Speaker concluded that citizenship, and the ability to realize the rights inherent in nationality, act as a stabilizing factor, making the prevention and reduction of statelessness, and the protection of stateless persons, important for the prevention of potential refugee situations.

24. One delegation indicated strong support for UNHCR's activities in the area of statelessness and nationality legislation. The delegation encouraged UNHCR to continue work on the issue and to consider further measures for extending protection to those who are stateless as well as to those who may be at risk of becoming stateless. The Speaker requested that increased attention be given to preventive measures and to promotion of ratification of the 1954 and 1961 Conventions on statelessness. The delegation then announced that its country had initiated proceedings to accede to both the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. The announcement was applauded.

25. Another delegation mentioned that citizenship and statelessness were sensitive issues which had political, human and social implications. The delegation said that their country had, following the break-up of the former national entity, adopted liberal legislation to automatically give citizenship to a large number of habitual residents; a simplified procedure for citizenship was also established for others. The delegation, therefore, supported UNHCR's initiative to promote the statelessness Conventions and UNHCR's activities to promote nationality legislation which reflected the right to citizenship.

26. The Chairman referred to interventions made by two other delegations during the discussion on the Note on International Protection. One delegation had stated that stateless persons were not entirely analogous to refugees and that UNHCR should, therefore, focus on preventive measures in the area of statelessness. Another delegation had urged UNHCR to develop education tools and supply expertise in areas where statelessness is of special concern. UNHCR should collect information, produce analysis on the problem, and report back to the Sub-Committee on developments. The Chairman suggested that the absence of further remarks on this issue should be interpreted as support for the conclusions delineated in the paper. He then gave the floor to the Director of International Protection, who extended his thanks to the delegation that had announced the efforts initiated to accede to the 1954 and 1961 Conventions. The Director hoped that this would be a forerunner of similar announcements by other delegations, particularly given the relatively low number of signatories to these international instruments. The Director further indicated his hope that the Members and Observers of the Sub-Committee would lead the way in promoting UNHCR's work in this area.

27. The Chief of General Legal Advice said she was encouraged by the reference to positive national legislation on citizenship. Summing up, the Chairman said delegations had encouraged UNHCR to promote accessions to the statelessness Conventions. They had also encouraged further research on the scope of the problem of statelessness and continued analysis of new nationality legislation, as well as the provision of technical advice to concerned Governments.

V. FOLLOW-UP OF THE RECOMMENDATIONS OF THE OAU/UNHCR SYMPOSIUM ON REFUGEES AND FORCED POPULATION DISPLACEMENTS IN AFRICA

28. The Deputy Director of International Protection introduced the Information Note on the Follow-up of the Recommendations of the Organization of African Unity (OAU)/UNHCR Symposium on Refugees and Forced Population Displacements in Africa (EC/1995/SCP/CRP.5). Recalling the subjects covered at the Symposium, she outlined the follow-up action already taken by UNHCR, including wide dissemination to Governments, NGOs and all UNHCR offices of the Symposium's recommendations, which have been printed in English and in French. The Symposium Document has also received wide publicity and has been circulated at meetings in Africa and elsewhere. At least two African universities have added the Document to their syllabi of courses on refugee matters. All recipients of the Document have been requested by UNHCR to consider and implement those recommendations relevant to them. In

particular, OAU Member States have been called upon to pay special attention to the recommendations on root causes of displacement, concrete refugee protection, and greater effectiveness in implementing the 1969 OAU Convention and efforts to achieve solutions to refugee problems.

29. The Deputy Director concluded by noting that UNHCR's office in Addis Ababa, in cooperation with the OAU General Secretariat, has developed a joint Plan of Action. In addition, OAU and UNHCR have organized various high-level meetings on the situation in the Great Lakes Region.

30. The Chairman summed up by saying that the Addis Ababa recommendations would continue to spur efforts both within the region and by the international community to prevent, respond to and resolve crises of displacement; it would also ensure that the protection and assistance needs of refugees and others of humanitarian concern are properly met, and would see to it that the burden of affected countries is eased by the international community.

VI. UNHCR'S ACTIVITIES FOR REFUGEE LAW PROMOTION, DISSEMINATION AND TRAINING

31. The Information Note on UNHCR's Activities for Refugee Law Promotion, Dissemination and Training (EC/SCP/91) was introduced by the Chief of UNHCR's Promotion of Refugee Law Section. Recalling that refugee law promotion, dissemination and training are important for the effective delivery of international protection, he sought the support of the Executive Committee with regard to the promotion of international instruments relating to the protection of refugees and stateless persons. He mentioned that UNHCR has made the databases known as REFWORLD available to an extensive user network by creating access through the Internet and had just completed REFWORLD CD-ROM, which would be made available to UNHCR, Governments, universities, NGOs and individual subscribers.

32. Describing ongoing efforts to delegate and decentralize promotional activities, he mentioned in particular the development of regional coordination mechanisms and other networks capable of securing a multiplier effect for UNHCR's initiatives. He further referred to twinning programmes as a means of expanding UNHCR cooperation with Governments, as well as cooperation among Governments.

33. In responding to the Information Note, one delegation thanked UNHCR for its activities in the area of refugee law promotion, dissemination and training and underlined that it constituted an important element of prevention. The delegation encouraged UNHCR to continue its activities in this area.

VII. ANY OTHER BUSINESS

34. The Chairman invited the Deputy Director of International Protection to give a summary of the Beijing Conference and UNHCR's protection-related follow-up activity. The Deputy Director informed the delegations that the

main sections in the Beijing Platform for Action which concern the protection of refugee women are those on human rights, violence and armed conflict. She stated that the Platform would help to strengthen UNHCR's own protection framework and activities on behalf of refugee women.

35. The Deputy Director informed the Sub-Committee that UNHCR was currently developing a module on rights awareness training for refugee women. In addition, the Division was developing a training module entitled *Human Rights and Refugee Protection*. One chapter of the module is devoted to women. She informed the delegations that UNHCR plans to revise the *Guidelines on the Protection of Refugee Women* with enhanced legal content. Additional issues to be included will be reproductive health, gender-based persecution, female genital mutilation, reconciliation and rights awareness training. She also recalled that UNHCR was planning to hold a round-table discussion with selected Governments on gender-based persecution in February 1996. In conclusion, the Deputy Director stated that there exists a well-defined policy on refugee women, and the real challenge facing UNHCR is to implement this policy in its field operations.

36. The Chairman thanked the Deputy Director for her informative comments and, in the absence of any further comments, adjourned the meeting.

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Forty-sixth session

REPORT OF THE MEETING OF THE SUB-COMMITTEE ON ADMINISTRATIVE AND FINANCIAL MATTERS

I. INTRODUCTION

1. The 12 October 1995 inter-sessional meeting of the Sub-Committee on Administrative and Financial Matters (SCAF) was opened by its Chairman, His Excellency Ambassador J. Esper Larsen (Denmark). In his opening remarks, the Chairman introduced the provisional annotated agenda (EC/SC.2/74), which was adopted without comment.

2. The Chairman then gave an overview of the work of the inter-sessional meetings of the Sub-Committee, in which he recalled that, at its 20 June meeting, SCAF adopted a series of conclusions on budgetary questions, to be submitted to the forthcoming Executive Committee for its endorsement. He also made mention of the recommendations of the Working Group on Executive Committee Working Methods, recalling that recommendations concerning documentation had been adopted by a special meeting of the Executive Committee on 20 June, while others were now before the Sub-Committee for adoption and subsequent endorsement by the forty-sixth session.

3. The Sub-Committee then adopted the draft report of the 20 June 1995 meeting (EC/1995/SC.2/CRP.25) with one amendment.

II. STATEMENT OF THE DEPUTY HIGH COMMISSIONER

4. The Deputy High Commissioner gave a brief overview of the most important recent developments of concern to UNHCR, in particular those relating to major emergency operations. He drew attention to the importance of the Beijing Global Plan of Action for UNHCR's own work, particularly for women refugees. He went on to comment on efforts to assure more effective management and efficient use of the resources placed at the disposal of the Office. Some of these initiatives would also assist UNHCR in addressing shortcomings highlighted in the report of the Board of Auditors. He said that the High Commissioner and Senior Management have recognized the need for a comprehensive and well-structured review of the institution as a whole. This review would focus foremost on management and administrative processes, procedures and tools, rather than on structure, which was felt largely still to serve the needs of UNHCR. He emphasized that this process would be strongly oriented towards cost savings, producing options which would include outsourcing, outposting and downsizing UNHCR in general and Headquarters in particular. The Deputy High Commissioner undertook to report back to the Executive Committee on progress in this regard in early 1996. In closing, the Deputy High Commissioner expressed his appreciation for the tireless and skilful efforts of the Chairman throughout the past year.

III. PROGRAMMES AND FUNDING

5. This item and its related documentation (A/AC.96/846/ Parts I-VII; A/AC.96/845/Parts I-III; A/AC.96/845/Part I/Add.1) was introduced by the Director of the Division of Programmes and Operational Support (DPOS), and by the Head of the Fund Raising Service. Attention was also drawn to the relevant sections of the report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) (A/AC.96/854).

6. The revised 1995 overall programme needs, as at 1 September 1995, were estimated at $ 1.3 billion. The overall programme needs for 1996 are estimated at $ 1.1 billion; the proposed General Programmes 1996 target which the Executive Committee will be asked to approve stands at $ 445,327,000. The Director (DPOS) also drew attention to the proposals in relation to the Fund for International Field Staff Housing and Basic Amenities.

7. The Head of the Fund Raising Service said that, as at 12 October 1995, contributions since 1 January amounted to $ 757 million. Current projections placed total 1995 income at some $ 1 billion. He urged a special effort by donors in the remainder of 1995 to ensure full funding of General Programmes, the repatriation programmes to Mozambique and within the Horn of Africa, and for the Rwanda/Burundi emergency. He expressed UNHCR's appreciation for sustained donor support.

8. Delegations complimented UNHCR on the quality of the documentation. One delegation, however, asked for more information on resources, including donor contributions to programmes, and more qualitative information on programme .

implementation which resulted from monitoring and evaluation reports. The wish was also expressed that UNHCR's evaluation reports be made available to a broader audience.

9. Several delegations focused on the comments of the ACABQ regarding ex post facto reporting on programmes and the failure to include supplementary estimates in budget submissions; it was felt that this reflected deficiencies in UNHCR's planning processes/programme cycle.

10. The need for a consistent definition across the United Nations system of administrative costs was underlined by one delegation; only in this way would a clearer and comparable picture of administrative costs in UNHCR be obtained.

11. The question of UNHCR staffing levels, particularly at Headquarters, and the related question of Headquarters accommodation, was a theme of a number of interventions; these delegations shared the concern expressed by the ACABQ on this issue. While noting that progress was already being made by UNHCR to address staffing levels at Headquarters, it was felt that this was a subject to which an inter-sessional meeting UNHCR Standing Committee should return in 1996.

12. UNHCR, in responding to the various interventions, made the following comments in relation to documentation and the programming cycle. Documentation (A/AC.96/848; A/AC.96/849) before the Executive Committee already contained information on contributions to programmes. To include this information in the Overview document would, prima facie, be difficult; UNHCR would, however, look into this. The same comment was made in regard to the inclusion of more qualitative information on programmes. As regards the programming cycle (this related to the question of supplementary estimates), UNHCR was caught between two seemingly irreconcilable demands: firstly, to have from the field the most current information on which to base the Letters of Instruction (Programme Authorizations) for a planning year; and secondly, to give up to date programming information to the Executive Committee, but in a timely manner, for it to discharge its governance function. Having just changed its programming cycle to achieve the first of these objectives, UNHCR now had to address the concerns of the Executive Committee in regard to ex post facto reporting. UNHCR would be returning to the Executive Committee for a further exchange of views on this point.

IV. ASSISTANT HIGH COMMISSIONER

13. A proposal (A/AC.96/846/Part VII/Add.1) to create a post of Assistant High Commissioner (Policy, Planning and Operations) at the Assistant-Secretary-General level, and to be funded through voluntary funds, was considered by the Sub-Committee. There was broad support for the proposal. A number of delegations were of the opinion that it would have been preferable if the proposal had been raised in the Sub-Committee before presenting it to the ACABQ for its opinion, and that this should be the procedure in future. Some delegations asked that the post be kept under review, as was the case for the other senior positions in UNHCR, in the context of the changing work-load of the Office and the normal review of posts funded under voluntary funds. One

delegation felt that as the post would most likely become a permanent feature of UNHCR's senior management structure, it should be funded under the United Nations Regular Budget. Several delegations suggested that once the post was in place, a review of UNHCR's senior management structure be undertaken within the framework of the deliberations of the Steering Committee in 1996.

14. UNHCR, in commenting on some of the interventions, noted that the procedure followed in presenting the post for approval was, in its opinion, the accepted one; this procedure, however, could be changed if the Executive Committee so desired.

V. EDUCATION ACCOUNT

15. The recommendation as set out in EC/SC.2/81 to cover the costs of those remaining students currently being funded through the Education Account was supported by the Sub-Committee; it was pointed out, however, that the endorsed approach was by way of exception, given the higher priority needs that had to be met from the limited resources of the General Programmes.

16. The Chairman summed up agenda item 3 (and its related sub-items) by noting the broad consensus on the issues discussed and which were reflected in the relevant paragraphs of the draft decision (A/AC.96/845/Part I, pages 11, 12) which would be presented to the Plenary Session for approval.

VI. REFUGEE WOMEN

17. The Director of the Division of Programmes and Operational Support introduced the paper (EC/SC.2/77) by recalling the Deputy High Commissioner's comments regarding the importance of the Beijing World Conference on Women to the further mobilization of UNHCR's efforts on behalf of refugee women.

18. Delegations congratulated UNHCR on its participation in the preparatory conferences which had resulted in extensive coverage of the situation of refugee women in the global Platform for Action, and exposure of a wide audience to refugee issues.

19. Several delegations praised the development of the policy and guidelines on refugee women, and specifically the Guidelines on Preventing and Responding to Sexual Violence Against Refugees. The importance of continued high profile advocacy was noted. One delegation, while acknowledging the need for guidelines to address the tragic situation of victims of sexual violence, and noting that they were intended as guidance to field staff, regretted that some elements of these Guidelines were not acceptable to his delegation.

20. Many delegations noted that a gap remained between policy and field implementation, welcomed UNHCR's commitment to redressing this, and called for the provision of adequate financial and human resources. The importance of baseline data and quantifiable targets in analysing progress of field implementation was stressed. Several delegations noted that attitudinal change and the personal accountability of staff and implementing partners were key

factors in ensuring that policies and guidelines were routinely applied. The critical importance of gender training, such as People-Oriented Planning (POP), in achieving attitudinal change was underlined; the continuing relevance of the recommendations of the Working Group on Refugee Women and Children on such training for all professional staff was also emphasized.

21. In UNHCR's responses to these interventions, the Senior Coordinator (Refugee Women) noted the concern regarding implementation and specifically accountability and attitudinal change. She indicated that work had already begun on a Framework for implementing the Beijing recommendations which would form the basis for UNHCR's future work on refugee women; some elements to be included in the Framework would respond specifically to the accountability question, the development of performance indicators and training. The Director (DPOS) reiterated the priority that the Office gave to addressing the needs of refugee women and tapping their potential. The importance of gender-sensitivity training such as POP for the achievement of this objective was clearly recognized. It was incumbent on management to see that gender-sensitivity was appropriately reflected in all UNHCR training, that staff saw the importance of this training, and that they had the opportunity to gain this necessary competency.

VII. REFUGEE CHILDREN

22. A progress report on the work of UNHCR on behalf of refugee children (EC/SC.2/78) was introduced by the Director (DPOS); in his remarks he referred to the work by UNHCR and UNICEF to prepare a joint Memorandum of Understanding (MOU).

23. Delegations welcomed the wide distribution of the UNHCR Guidelines on Refugee Children. It was stressed that the focus now should be on the implementation of the policies contained therein, and the integration of the guidelines into mainstream programming. The importance of continued high profile advocacy was noted. Issues touched on in interventions related to immunization, education, exploitation, psycho-social needs and tracing/family reunification. On the psycho-social needs of children, the need to establish standards of care at the community level was stressed; these standards should reflect lessons learnt from in-country experience in a range of countries. The subject of tracing and family reunification was touched on by several delegations; appreciation was expressed for the flexibility shown in giving effect to the central importance of maintaining families. A number of delegations welcomed the progress on the MOU between UNICEF and UNHCR; questions were raised about its provisions and possible dialogue with donors on its contents prior to its signing.

24. In responding to the interventions, the Senior Coordinator (Refugee Children) expressed appreciation for the support of delegations· it was recognized that much work remained to be done. The Director (DPOS) indicated that the contents of the UNICEF/UNHCR MOU would be shared with donors upon

signature. As the MOU came into effect and the experience of collaborative efforts were shared with donors, the comments of delegations would be most welcome; it was foreseen that a Working Group would be tasked with the monitoring of the MOU and its refinement in the light of experience.

VIII. REFUGEE HEALTH

25. The Director (DPOS) introduced the document EC/1995/SC.2/CRP.29 on Refugee Health.

26. Interventions supported UNHCR policies and approach to refugee health. Several delegations welcomed the primary health care emphasis as well as the initiative of the High Commissioner to promote reproductive health activities. One delegation questioned whether policy was reflected in practice. One delegation also requested UNHCR to report on a yearly basis to SCAF on the progress and achievements, particularly as regards reproductive health activities.

27. Other interventions covered: micro-nutrient deficiency diseases; the need to train and involve refugees, especially women, in the planning and implementation of health and nutrition programmes; and the preparation of the manual on Reproductive Health services.

28. The Director (DPOS), commenting on resources allocated to the health sector in 1995 by UNHCR, highlighted the significant contribution by non-governmental organizations (NGOs) of their own resources to this sector of activity.

IX. REFUGEES AND THE ENVIRONMENT

29. The Sub-Committee had before it document EC/SC.2/79 and Add.1. In introducing the report, the Director (DPOS) recalled that at the last Executive Committee the issue of the impact of refugees on the ecosystems of refugee hosting countries was raised by a number of delegations. In December 1994, the High Commissioner established an internal Working Group on the Environment to look into the issues raised by the various delegations. The Working Group produced a report in July 1995 which recommended a more focused environmental policy, together with a series of practical steps to assist UNHCR to integrate environmental concerns into day-to-day programmes. It presented a very strong, well argued case for a preventive approach and the integration of environmental considerations into UNHCR's operations from the beginning of refugee emergencies. The Senior Coordinator (Environmental Affairs) said that the newly reformulated environmental policy of UNHCR was in harmony with internationally accepted basic environmental principles, including those enunciated in Agenda 21 at the Environment Conference (Rio De Janeiro, 1992). These principles were: integration; prevention; cost effectiveness (with net benefit maximization) and participation.

30. Two delegations welcomed the newly formulated environmental policy. One delegation underlined the need for environmental impact assessments in the early phase of emergencies. It was suggested that in future reports, examples should be given of successful field environmental management and rehabilitation projects undertaken by UNHCR. The importance of environmental awareness-raising and training was also underlined. One delegation expressed some reservations about the logic of the paper.

31. In reply, the Director (DPOS) stressed that the reformulated policy had resulted from extensive consultations within UNHCR and with outside agencies, including International Union for the Conservation of Nature (IUCN) and United Nations Environment Programme (UNEP) and with those agencies involved in the follow-up to UNCED. The Senior Coordinator (Environmental Affairs) noted that, in the field, action oriented environmental assessment (preparation of an environmental strategy and action plan) was essential to maximize the net benefit accruing from the limited resources which were available for environmental activities.

X. EMERGENCY RESPONSE

32. Document EC/1995/SC.2/CRP.28 was introduced by the Director (DPOS).

33. Delegations expressed support for UNHCR's continued efforts to improve its emergency response capacities. Several stressed the importance of ensuring appropriate coordination with other United Nations agencies and UNHCR's implementing partners, especially in the development of Government Service Packages. Several delegations reaffirmed their interest in the development of these packages which, it was stressed, should be resorted to only in situations where existing response capacities would be inadequate.

34. In reply, the Chief of the Emergency Preparedness and Response Section underlined the high level of inter-agency coordination that already existed. UNHCR had shared its experiences widely and had profited from the experience of others. As an example, she noted that current UNHCR initiatives in contingency planning at the country level were being undertaken jointly with other United Nations agencies and operational partners.

XI. ACCOUNTS AND AUDIT

35. The Controller introduced the Accounts by pointing out two additions in their presentation, namely Statement 4 and Schedule 10. He also indicated that, in line with recommendations of the Working Party on Financial Statements to the CCAQ (FB) and the Advisory Committee on Coordination (ACC), the 1995 accounts would include a detailed Statement of Income and Expenditure in respect of Other Trust Funds (presently submitted in Schedule 5), and a separate Balance Sheet for each Fund and Programme, currently consolidated in Statement 1.

36. In presenting the Report of the Board of Auditors, the Controller noted the main issues raised and then outlined some of the measures taken to improve UNHCR's performance and reduce recurrent audit problems. These included the

reconstitution of the Audit Committee, the introduction of a tightly controlled audit response procedure for setting time-frames and assigning responsibilities for responding to audits, and the newly established procedure for reporting on the implementation of recommendations to the Office of Internal Oversight (OIOS). Other issues under scrutiny were the question of audit certification of implementing partners, the close monitoring of the implementation of the new asset management system, and greater accountability of managers in the field.

37. As part of a broader strategy to address recurrent audit issues, the Controller reported on a new initiative by the Information and Communication Systems Section which aimed to re-engineer UNHCR's current business processes. This project will take advantage of an already substantial investment in communications and messaging technologies, to allow all UNHCR offices throughout the world access to common databases, thus improving access to appropriate management information by key decision makers.

38. Interventions on this item expressed serious concerns that the Board of Auditors report showed little progress had been made by UNHCR on addressing recurrent audit issues. This concern related to audit comments that UNHCR's selection, monitoring and oversight of implementing partners was deficient. Issues of audit certification and overhead payments were raised. Reference was also made to a specific case of fraud and mismanagement in 1991-92 by an implementing partner. It was pointed out that lack of control and oversight played a major role in that case. There was also a question about the establishment of an investment committee, and about unliquidated obligations.

39. The Controller replied that UNHCR took the Board of Auditors report very seriously and that all efforts would be made to address the systemic problems. These problems have complex causes and will require action in many areas to achieve improved performance. The Controller welcomed the suggestion that these issues should be discussed again at future inter-sessional meetings.

XII. IMPLEMENTING PARTNERS

40. This agenda item and its related documentation (EC/1995/SC.2/CRP.27) was introduced by the Director of DPOS. Several delegations stressed the importance of UNHCR's relationship with its implementing partners, as well as the significant and valuable contributions that such partners make, particularly in emergency operations. A number of delegations also commended UNHCR on progress achieved in cooperation with NGOs since the inception of the Partnership in Action (PARinAC) process which had led to enhanced dialogue, cooperation and understanding. One delegation congratulated UNHCR on the initiatives already taken to respond to various concerns, as well as on the definition of simple and transparent selection criteria.

41. Some delegations, while fully supportive of the partnership principle, urged UNHCR to be more flexible in its approach to the question of overhead costs for implementing partners, particularly headquarters costs. Partners

should contribute resources, but their headquarters overhead costs should be borne by UNHCR pro rata. Another delegation opposed this position. One delegation raised the issue of the current level of UNHCR's operationality and the extent to which partners were made aware of potential budgetary shortfalls.

42. In reply, the Director of DPOS observed that the enormous demands placed on UNHCR had naturally led to a major increase in the number of implementing partners. Some were new partners, and some old partners had experienced the same difficulties in adapting to increased demands as had UNHCR. As regards the issue of overhead costs, the Director of DPOS said that UNHCR, to the best of its knowledge, was implementing a policy reaffirmed by the Executive Committee in May 1990. It was for the Executive Committee to change this, but he believed a full review of all the arguments would be appropriate before any such change. On the question of operationality, the Director of DPOS said that, while UNHCR had probably become more operational in recent times, notably in some large emergency programmes, the overall policy of non-operationality had not changed. In reply to the question of partners being made aware of potential budgetary shortfalls, the Director of DPOS said that UNHCR agreements expressly stated that implementation was subject to the availability of funds and that, particularly under certain Special Programmes which were not fully funded, resulting budgetary reductions often had to be imposed. He believed that many of the concerns were covered in the handbook for implementing partners which was now being finalized

43. In his summing up, the Chairman said that a number of the issues raised, including UNHCR's relationship to its implementing partners and the issue of management and control of its partners, should be taken up as part of the inter-sessional programme of work.

XIII. CAREER MANAGEMENT STRATEGY

44. The agenda item was introduced by the Director of the Division of Human Resources Management (DHRM). He said that the Career Management System (CMS) project, described in the document before the Sub-Committee (EC/1995/SC.2/CRP.26), and other initiatives in relation to human resources management and training, will help the organization be ready to face whatever challenges await it in 1996 and beyond. He described in detail the current state of the CMS project.

45. On the subject of training in general, the Director noted that it was of major importance to a dynamic organization like UNHCR. To develop a cohesive strategy to derive the maximum benefit from the many training activities currently underway or planned for the future, a Training Advisory Board has been established. He noted that more than 60 per cent of UNHCR's training budgets are spent for training of UNHCR's operational partners. He estimated that some 2,000 UNHCR staff and 3,000 staff from UNHCR's operational partners - Governments and NGOs - will take part in one or more training workshops during 1995; over 85 per cent of all training activities are taking place in the field.

46. In their interventions, delegations welcomed the progress being made on the CMS. Some delegations shared the concern of the ACABQ that training be so managed that it meet the principal objectives of the organization and that there be an overall consistency of approach. One delegation noted that one such objective should be promoting stronger inter-agency linkages. The question of training, particularly overall training strategy and the related question of needed budgetary resources, should be a subject for discussion at an inter-sessional meeting. One delegation wondered if arrangements were in place to guarantee appropriate quality control of training delivered in the field.

47. In response, the Director (DHRM) noted that in regard to training, the principal role of the new Training Advisory Board would be to establish for the whole organization the policy, priorities and content for UNHCR training and to ensure consistency in the implementation of established objectives; in this it would be aided by the Staff Development Section (DHRM). Actual implementation of training would be done primarily in the field.

XIV. EXECUTIVE COMMITTEE WORKING METHODS

48. Introducing the Report of the Working Group on Executive Committee Working Methods (EC/SC.2/76) the Chairman reviewed the work of the open-ended Working Group on Executive Committee Methods, whose report was adopted at the SCAF meeting on 20 June 1995. Of this report, recommendations 27 to 36 which dealt with documentation were adopted at the special Executive Committee meeting held on 20 June 1995. The Chairman then proposed the adoption of the remaining recommendations for adoption. These were adopted without comment and are to be transmitted to the Plenary Session of the Executive Committee for endorsement.

XV. INTRODUCTION OF RUSSIAN AS AN OFFICIAL LANGUAGE

49. This agenda item and its related documentation (EC/SC.2/80 and Corr.1) was introduced by the Secretary of the Executive Committee. The delegate of the Russian Federation stressed the importance of making documentation available in Russian as it is the lingua franca in a wide geographical area experiencing diverse problems of concern to the Executive Committee. Two delegations, while voicing no objection to including Russian as an official language of the Executive Committee, raised questions about the cost implications. In particular, one delegation reminded Members of the position of its Government on growth under the United Nations Regular Budget. The Secretary of the Executive Committee suggested that these concerns would be more appropriately addressed in the Fifth Committee. He believed that savings accruing from the agreed limitation of Executive Committee documentation and from the reduction of the volume of translation would offset the costs of introducing Russian as an official language. The Sub-Committee recommended that the draft decision included in document EC/SC.2/80 on the introduction of Russian as an official language should be forwarded to the forty-sixth session of the Executive Committee for adoption.

XVI. ANY OTHER BUSINESS

50. The Deputy High Commissioner, on the occasion of the departure of Mr. Daniel Conway (Director of DHRM) to another organization, thanked him for his invaluable contribution to the work of UNHCR; these comments were endorsed by the Chairman and delegations.

51. There being no further business, the meeting was adjourned.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-sixth session

REPORT OF THE FORTY-SIXTH SESSION OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

(Geneva, 16 - 20 October 1995)

GE.95-03526

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I. INTRODUCTION

A. Opening of the session

1. The Executive Committee of the High Commissioner's Programme held its forty-sixth session at the Palais des Nations at Geneva from 16 to 20 October 1995. It was opened by the outgoing Chairman, His Excellency Mr. Ahmad Kamal (Pakistan), who began by welcoming new Executive Committee Members Bangladesh, India and the Russian Federation.

2. Ambassador Kamal noted that, while there were a number of positive developments, particularly regarding solutions to certain long-standing refugee problems, various crises, such as those in the Great Lakes region and former Yugoslavia, persisted. He emphasized UNHCR's fundamental role in helping refugees achieve sustainable reintegration in their country of origin, particularly through the provision of protection and assistance in post-conflict situations.

3. Alluding to the United Nations' current financial difficulties, the outgoing Chairman suggested that UNHCR pre-empt criticism by increasing efficiency, by adhering to good management practices, and by exploiting computer based information technologies to improve the information flow between Headquarters, field operations and Governments. The results, in terms of quicker decision-making and decreased field operation costs, could be far-reaching.

4. Refugee crises were bound to increase; the solution to them, the Ambassador ventured, lay in resolving the factors, notably disputes, that lead to such crises. While UNHCR cannot take a direct role in resolving disputes, it could continue prompt the international community to take action. Ambassador Kamal concluded by noting that progress in addressing the root causes of refugee movements would ensure that the international community would not be faced repeatedly with the sight of mass movements across borders, an endless reproach to those who could have done more, but did not.

B. Election of officers

5. Under rule 10 of Rules of Procedure, the Committee elected the following officers by acclamation:

Chairman:	Ambassador Jakob Esper Larsen (Denmark)
Vice-Chairman:	Ambassador Ali Said Mchumo (United Republic of Tanzania)
Rapporteur:	Mr. Apichart Chinwanno (Thailand)

C. Representation of the Committee

6. The following members of the Committee were represented at the session:

Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Canada, China, Colombia, Denmark, Ethiopia, Finland, France, Germany, Greece, Holy See, Hungary, India, Iran (Islamic Rep. of), Israel, Italy, Japan, Lesotho, Lebanon, Madagascar, Morocco, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Russian Federation, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Venezuela, Zaire.

7. The Governments of the following States were present as observers:

Afghanistan, Albania, Angola, Armenia, Belarus, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Djibouti, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Gambia, Ghana, Guatemala, Honduras, Indonesia, Iraq, Iceland, Ireland, Libyan Arab Jamahiriya, Jamaica, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Liberia, Luxembourg, Malaysia, Malawi, Malta, Mauritania, Mexico, Mozambique, Myanmar, Nepal, New Zealand, Oman, Panama, Peru, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Sri Lanka, Swaziland, Syrian Arab Republic, Tajikistan, Turkmenistan, Ukraine, Uruguay, Uzbekistan, Viet Nam, Yemen, Zambia, Zimbabwe.

8. European Commission, International Committee of the Red Cross, Sovereign Order of Malta, International Federation of Red Cross and Red Crescent Societies were also represented as observers.

9. The United Nations system was represented as follows:

United Nations Office at Geneva (UNOG), Centre for Human Rights, Department of Humanitarian Affairs (DHA), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Volunteers (UNV), United Nations Population Fund (UNFPA), World Food Programme (WFP), United Nations Centre for Human Settlements (Habitat), United Nations Institute for Training and Research (UNITAR), United Nations Research Institute for Social Development (UNRISD), International Labour Organization (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), United Nations Industrial Development Organization (UNIDO).

10. The following intergovernmental organizations were represented by observers:

League of Arab States, Organization of African Unity (OAU), Organisation of the Islamic Conference (OIC), Council of Europe, International Organization for Migration (IOM).

11. A total of 90 non-governmental organizations were represented by observers.

D. Adoption of the agenda and other organizational matters

12. The Executive Committee adopted by consensus the following agenda (A/AC.96/844).

1. Opening of the session
2. Election of officers
3. Adoption of the agenda and other organizational matters
4. General debate
5. Programme, Administrative and Financial Matters

   (a) Review of UNHCR programmes financed by voluntary funds in 1994-1995 and of proposed programmes and budget for 1996
   (b) Status of contributions and overall financial requirements for 1994 and 1995
   (c) Administration and management
   (d) Adoption of 1996 General Programmes

6. Participation of Government Observer delegations
7. Consideration of the provisional agenda of the forty-seventh session of the Executive Committee
8. Any other business
9. Adoption of the draft report of the forty-sixth session
10. Closing of the session

E. Opening statement by the Chairman of the Executive Committee

13. The incoming Chairman, His Excellency Mr. J. Esper Larsen (Denmark), paid tribute to the High Commissioner for her skill, perseverance and courage, and commended the dedicated work of the staff of UNHCR and of non-governmental organizations, particularly those working in the field.

14. Ambassador Larsen drew attention to the ever growing numbers of refugees, displaced persons and others of concern to UNHCR who, at the end of 1994, amounted to some 27.4 million persons. He stressed the responsibility of the international community at large and of the Executive Committee in particular, in the face of crises in the Great Lakes region, the former Yugoslavia and the many other situations of conflict around the world.

15. In responding to protection needs, most countries had demonstrated their readiness to adopt pragmatic and flexible approaches to provide temporary protection to persons fleeing conflict. The Executive Committee would need, however, to give consideration to how far Member States would be prepared to go beyond the existing international and regional instruments in order to ensure international protection to all who need it.

16. The Chairman also highlighted the burden shouldered by refugee hosting countries, particularly the most impoverished among them, and expressed the view that international solidarity with and support for those countries has been insufficient. In the search for durable solutions through voluntary repatriation,

reintegration and reconstruction, he stressed the need for development agencies to dovetail their efforts with those of UNHCR in the reintegration process. In this context he recalled the resolution adopted by 1995 session of ECOSOC on the strengthening of the coordination of emergency humanitarian assistance.

17. Ambassador Larsen concluded by referring to the process of reforming the working methods of the Executive Committee, which would extend the possibilities for the Executive Committee to exercise effective governance in response to Member States' desire for greater transparency, accountability and oversight.

II. WORK OF THE FORTY-SIXTH SESSION

18. The High Commissioner delivered an opening statement to the Executive Committee, which is be reproduced in annex. Following this, His Excellency, Mr. Salim Ahmed Salim, Secretary-General of the Organization of African Unity, addressed the Executive Committee. The full account of the deliberations of the Committee, including the statements or other interventions made by delegations on all the agenda items of the meeting, as well as the closing statements by the Chairman and the High Commissioner, are contained in the summary records of the session.

III. DECISIONS AND CONCLUSIONS OF THE COMMITTEE

A. Conclusions on International Protection

1. General Conclusion on International Protection

19. The Executive Committee,

(a) Distressed at the continued suffering of refugees for whom a solution has yet to be found; reaffirms that respect for fundamental humanitarian principles, including safeguarding the right to seek and enjoy in other countries asylum from persecution, and full regard for the principle of non refoulement, is incumbent on all members of the international community; and urges the continued commitment of States to receive and host refugees and ensure their protection in accordance with accepted legal principles;

(b) Notes that the search for solutions to refugee problems is an integral part of the High Commissioner's mandate for international protection, and that identifying and implementing solutions to the problems of refugees requires the constant support of the international community in order that the will and capacity of individual States are reinforced in this common pursuit;

(c) Emphasizes the primacy of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol as forming the international legal basis for the protection of refugees; and underlines the value of regional instruments, as applicable, notably the OAU Convention, as well as the Cartagena and San José Declarations;

(d) Welcomes the accession of Namibia, the Solomon Islands, Samoa, and Antigua and Barbuda to the 1951 Convention and/or the 1967 Protocol, bringing to 130 the number of States parties to one or both instruments, and urges States which are not yet party to accede to these instruments, and all States to implement them fully;

(e) Reaffirms the competence of the High Commissioner in supervising the application of international instruments for the protection of refugees. Stresses the importance of their interpretation and application by States in a manner consistent with their spirit and purpose. Reminds States party to the 1951 Convention and/or the 1967 Protocol of the undertaking in Article 35 of the Convention, reiterated in Conclusion 57 of the fortieth session of the Executive Committee in 1989, to provide the High Commissioner with detailed information on the implementation of the Convention and urges those state parties who have not yet complied with this undertaking to do so;

(f) Recalls its conclusion 74 (XLV), which encouraged the High Commissioner to engage in consultations and discussions concerning measures to ensure international protection to all who need it; and reiterates its support for UNHCR's role in exploring the development of guiding principles to this end, consistent with fundamental protection principles reflected in international instruments, and calls on UNHCR to organize informal consultations on this subject;

(g) Calls upon the High Commissioner to support and promote efforts by States towards the development and implementation of criteria and guidelines on responses to persecution specifically aimed at women, by sharing information on States' initiatives to develop such criteria and guidelines, and by monitoring to ensure their fair and consistent application. In accordance with the principle that women's rights are human rights, these guidelines should recognize as refugees women whose claim to refugee status is based upon well-founded fear of persecution for reasons enumerated in the 1951 Convention and 1967 Protocol, including persecution through sexual violence or other gender-related persecution;

(h) Condemns all forms of ethnic violence and intolerance, which are among the major causes of forced displacements as well as an impediment to durable solutions to refugee problems; and appeals to States to combat intolerance, racism and xenophobia and to foster empathy and understanding through public statements, appropriate legislation and social policies, especially with regard to the special situation of refugees and asylum-seekers;

(i) Recognizes that for States to fulfil their humanitarian responsibilities in receiving refugees and in reintegrating returning refugees, and in addressing some of the causes of refugee movements, an effective human rights regime is essential, including institutions which sustain the rule of law, justice and accountability; and in this connection calls on UNHCR to strengthen its activities in support of national legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights;

(j) Calls on all States to promote conditions conducive to the return of refugees and to support their sustainable reintegration by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with UNHCR and relevant development agencies;

(k) Reiterates the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions which allow voluntary repatriation of refugees in safety and with dignity and, in recognition of the obligation of all States to accept the return of their nationals, calls on all States to facilitate the return of their nationals who are not refugees;

(l) Emphasizes in this context the need to address problems pertaining to the return of persons not in need of international protection, and encourages UNHCR to cooperate with other international organizations in looking into ways in which the return process can be facilitated, and to inform the Standing Committee;

(m) Calls upon the High Commissioner to continue to expand and strengthen the Office's activities with regard to the promotion and dissemination of refugee law and protection principles with the active support of States and through increased cooperation with non-governmental organizations, academic institutions and other relevant organizations; further calls upon the High Commissioner to explore ways to integrate its activities in the areas of documentation, research, publications and electronic dissemination;

(n) Recognizes the role refugee community education can play in national reconciliation and encourages UNHCR, in cooperation with other organizations, to strengthen its efforts in assisting host country Governments to ensure the access of refugees to education, including the introduction into such programmes of elements of education for peace and human rights;

(o) Calls on all States to manifest their international solidarity and burden-sharing with countries of asylum, in particular those with limited resources, both politically and in other tangible ways which reinforce their capacity to maintain generous asylum policies, through cooperation in conjunction with UNHCR to support the maintenance of agreed standards in respect of the rights of refugees; reiterates the critical importance of development and rehabilitation assistance in addressing some of the causes of refugee situations, as well as their solutions, including voluntary repatriation when deemed appropriate; and also in the context of development of prevention strategies;

(p) Reiterates the continued importance of resettlement as an instrument of protection and its use as a durable solution to refugee problems in specific circumstances; welcomes the initiative in commissioning an evaluation study and the UNHCR-sponsored consultation on resettlement; and encourages UNHCR to continue the process of dialogue with interested Governments and non-governmental organizations to strengthen its activities in this connection, and to provide regular reports to the Executive Committee;

(q) Reaffirms its Conclusion 48 (XXXVIII) on Military or Armed Attacks on Refugee Camps and Settlements and reiterates that, the grant of asylum or refuge being a peaceful and humanitarian act, refugee camps and settlements must maintain their exclusively civilian and humanitarian character, and all parties are obliged to abstain from any activity likely to undermine this; condemns all acts which pose a threat to the personal security of refugees and asylum-seekers, and also those which may endanger the safety and stability of States; calls on States of refuge to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained and, in this regard, calls on all other States to assist them; and further calls on States of refuge to take effective measures to prevent the infiltration of armed elements, to provide effective physical protection to refugees and asylum-seekers, and to afford UNHCR and other appropriate organizations prompt and unhindered access to them.

2. Conclusion on the Prevention and Reduction of Statelessness and the Protection of Stateless Persons

20. The Executive Committee,

Recognizing the right of everyone to a nationality and the right not to be arbitrarily deprived of one's nationality,

Concerned that statelessness, including the inability to establish one's nationality, may result in displacement,

Stressing that the prevention and reduction of statelessness and the protection of stateless persons are important in the prevention of potential refugee situations,

(a) Acknowledges the responsibilities already entrusted to the High Commissioner for stateless refugees and with respect to the reduction of statelessness, and encourages UNHCR to continue its activities on behalf of stateless persons, as part of its statutory function of providing international protection and of seeking preventive action, as well as its responsibility entrusted by the General Assembly to undertake the functions foreseen under Article 11 of the 1961 Convention on the Reduction of Statelessness;

(b) Calls upon States to adopt nationality legislation with a view to reducing statelessness, consistent with fundamental principles of international law, in particular by preventing arbitrary deprivation of nationality, and by eliminating provisions which permit the renunciation of a nationality without the prior possession or acquisition of another nationality;

(c) Requests UNHCR actively to promote accession to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, in view of the limited number of States parties to these instruments, as well as to provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested States;

(d) Further requests UNHCR actively to promote the prevention and reduction of statelessness through the dissemination of information, and the training of staff and government officials; and to enhance cooperation with other interested organizations;

(e) Invites UNHCR to provide it biennially, beginning at the forty-seventh session of the Executive Committee, with information on activities undertaken on behalf of stateless persons, particularly with regard to the implementation of international instruments and international principles relating to statelessness, and including the magnitude of the problem of statelessness.

B. Decisions on Programme, Administrative and Financial Matters

1. General Decision on Programme, Administrative and Financial Matters

21. The Executive Committee,

(a) Confirms that the activities proposed under General and Special Programmes as set out in document A/AC.96/846/Parts I - VII have been found, on review, to be consistent with the Statute of the Office of the High Commissioner (General Assembly Resolution 428 (V)), the High Commissioner's "Good Offices" functions as recognized, promoted or requested by the General Assembly, the Security Council, or the Secretary-General, and the relevant provisions of the Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees (A/AC.96/503/Rev.5);

(b) Requests the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs currently indicated under 1996 General and Special Programmes which are tentatively estimated at $ 1.1 billion, and to any other new needs that might arise, bearing in mind the Statute of the Office and the priority to be accorded to statutory activities, and the relevant provisions of the Financial Rules for Voluntary Funds;

(c) Approves the revised 1995 General Programmes budget amounting to $ 428,732,500 as detailed in document A/AC.96/845 (Table III), and notes that the present estimates for 1995 General and Special Programmes amount to some $ 1.3 billion;

(d) Approves likewise the country/area programmes, Other Programmes and the Headquarters budgets under the 1996 General Programmes amounting to $ 357,434,900, as well as $ 25,000,000 for the Emergency Fund, $ 20,000,000 for the Voluntary Repatriation Fund and a Programme Reserve of $ 42,892,100 (representing 12 per cent of programme activities, all of which are detailed in document A/AC.96/845 (Table III), and which constitute a 1996 total General Programmes budget of $ 445,327,000, and authorizes the High Commissioner within this approved level, to effect adjustments in project, country/area programme, Other Programmes and the Headquarters budgets, as may be required by changes affecting the refugee/returnee programmes for which they were planned;

(e) Requests UNHCR to allocate the financial and human resources required for the implementation of the recommendations of the Working Group on Refugee Women and Children adopted by the Executive Committee at its forty-fifth session;

(f) Requests the High Commissioner to keep the Executive Committee regularly informed on developments under both General and Special Programmes, including the uses made, in accord with their established criteria, of the Emergency Fund, the General Allocation for Voluntary Repatriation (henceforth to be known as the Voluntary Repatriation Fund), and the Programme Reserve, and on progress implementing UNHCR policies under General and Special Programmes;

(g) Notes the Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 1994 (A/AC.96/853), the Report of the ACABQ on UNHCR Activities financed by Voluntary Funds: Report for 1994-1995 and proposed budget for 1996 (A/AC.96/854), the Report of the High Commissioner on the work of UNHCR's Inspection Evaluation Service (A/AC.96/852), and requests to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these various oversight documents;

(h) Expresses serious concern about the observations of the Board of Auditors in its Report (A/AC.96/853) especially those on management issues, and in particular those relating to continuing problems in regard to the lack of adequate managerial control by UNHCR in regard to programmes implemented by its partners, and asks that the matters raised in the Report be reviewed in a systematic fashion by the Standing Committee;

(i) Requests the High Commissioner to initiate a process of informal technical consultations on the question of overhead costs for non-governmental implementing partners, particularly headquarters costs, with a view to having an initial progress review at the time of the first session of the Standing Committee in 1996, and authorizes the Standing Committee, if it sees fit, to decide on this issue in the course of its deliberations during 1996;

(j) Urges Member States and concerned Governments and bodies, in the light of the extensive needs to be addressed by the Office of the High Commissioner, to respond generously and in a spirit of international solidarity and burden-sharing, and in a timely manner, to her appeals for resources;

(k) Notes the intention of the High Commissioner, in her efforts to improve conditions of service in the most difficult duty stations (categories D and E), to extend the provisions of the Fund for International Staff Housing and Basic Amenities as of 1996 to any duty station within these categories, including capital cities, and approves the use of Special Programme funds to replenish the Fund for International Staff Housing and Basic Amenities, to the extent that international staff benefiting from the provisions of the fund are a charge to a particular Special Programme;

(l) Approves the transfer of an additional amount of $ 150,000 from the 1995 Programme Reserve, and an amount up to $ 1,200,000 from the 1996 Programme Reserve, to the Fund for International Staff Housing and Basic Amenities;

(m) Approves the creation of the post of Assistant High Commissioner (Policy, Planning and Operations) at the Assistant-Secretary-General level, to be funded from voluntary funds, and related staffing (Executive Assistant at the P-4 level and a Secretary at the G-5 level);

(n) Approves the proposal set out in document EC/SC.2/81: Education Account (para. 4, option 3) whereby the Office of the High Commissioner would be allowed, exceptionally, to charge to General Programmes, the expenditure still to be incurred in relation to remaining tertiary level students, and which cannot be met through the Education Account.

2. Decision on Budget Structure and Governance

22. The Executive Committee,

Having reviewed the Report of the Informal Consultations on Budgetary Questions (EC/SC.2/75) adopted by the Sub-Committee on Administrative and Financial Matters at its inter-sessional meeting on 20 June 1995, decides that:

(a) Any UNHCR budget structure should have as its objectives the following:

(i) transparency, accountability and managerial control;
(ii) the necessary flexibility to address emergency situations and unexpected changes to programmes;
(iii) assured funding of statutory activities;

(b) Further streamlining of UNHCR's budget structure should be undertaken, however, bearing in mind the objectives set out in Conclusion 1, so that in a single, coherent budget structure there is a clear indication of overall needs, as well as of needs at the country level, and for Other Programmes and Headquarters.

(c) The criteria for the inclusion of activities under General Programmes is that they qualify as statutory; in addition, they should be activities related to situations which have stabilized;

(d) The group of stabilized, statutory activities which constitute the General Programmes shall be a funding priority. A commitment to their full funding would be facilitated by a process of dialogue in which the High Commissioner explains the rationale used for the inclusion of the various activities within the Annual Programme component of the General Programmes;

(e) If, for a given year, all stabilized, statutory activities were not able, in the High Commissioner's judgement, to be included under General Programmes, the first priority for inclusion should be refugee situations which have stabilized; in giving effect to this decision, the High Commissioner shall, inter alia, bear in mind the relative chances of funding for different activities, depending on the

programme category in which they would be placed. The High Commissioner would report to the Executive Committee the considerations which determined a particular course of action;

(f) The Executive Committee should keep under review the criteria governing the Emergency Fund, the Programme Reserve, and the Voluntary Repatriation Fund to ensure that these contribute to the flexibility of the Office's operations; moreover, their levels should also be regularly reviewed;

(g) In recognition of the statutory nature of activities on behalf of refugees, and, therefore, their potential for inclusion under General Programmes, the Programme Reserve may be used for refugee situations being funded, for various reasons, under Special Programmes. Such a use of the Programme Reserve, would, nevertheless, be limited; it may be used to complement Special Programme funding for refugee situations, provided that the total of all such allocations does not exceed one third of the Programme Reserve in a given year;

(h) In recognition of the importance of voluntary repatriation, and to support repatriation activities which were not able to be included, for various reasons, under General Programmes, the use of the Voluntary Repatriation Fund should be enhanced by its extension to voluntary repatriation operations for refugees included under Special Programmes; it is proposed that, in a given year, an allocation of up to $ 10.0 million could be made for any such voluntary repatriation operation;

(i) The proposed expanded use of the Programme Reserve and the Voluntary Repatriation Fund could require that their levels be raised. It is proposed that, as of 1997:

(i) the Programme Reserve be constituted between 10 and 15 per cent of programmed activities under the Annual Programme for a given year;

(ii) the level of the Voluntary Repatriation Fund for a given year be set between $ 20 million and 10 per cent of the budgetary estimates for voluntary repatriation for the previous year;

(iii) within the limits set out above, the High Commissioner would propose the actual levels of the Programme Reserve and the Voluntary Repatriation Fund for approval by the Executive Committee, bearing in mind that the overall level of the proposed General Programmes target should be such as to justify a reasonable expectation of its full funding;

(j) With a view to maximizing the use of the Programme Reserve and the Voluntary Repatriation Fund in any given year, any allocations made from them could be cancelled if sufficient contributions were later received for the relevant activities;

(k) It is proposed to extend the use of the Working Capital and Guarantee Fund to guarantee budgetary increases in the Headquarters component of General Programmes, not exceeding 2 per cent of the approved General Programmes total target, that may result from increased Headquarters costs directly due to exchange

rate fluctuations. The Executive Committee would thus allow the General Programmes approved budgetary target to rise by up to 2 per cent, if this was necessary to accommodate such increased costs. The adjustment of the General Programmes budget target in accord with the above provisions, and related accounting adjustments, would take place at the end of a calendar year. If such a use had to be made of the Working Capital and Guarantee Fund, it would be replenished in the subsequent year in accordance with the provisions of the Financial Rules;

(l) In addition to the broad review of General and Special Programmes at the time of the Executive Committee, inter-sessional meetings shall consider updates on programme needs and funding; at inter-sessional meetings, there shall also be a review of all country programmes (General and Special) in a particular region or regions (e.g. Asia/SWANAME; Europe/Americas; Africa), and of any Special Programmes covering a number of countries in the region(s);

(m) The regular, systematic review of UNHCR programmes at the country level by the Executive Committee at inter-sessional meetings shall be based on agreed documentation (see below), and will include presentations by the senior staff of the Bureau concerned;

(n) The uses made of the Emergency Fund, the Programme Reserve and the Voluntary Repatriation Fund shall be reviewed by the Executive Committee at its annual and inter-sessional meetings at the time of each of the programme reviews mentioned in (m) above, to ensure that their use is in accord with the governing criteria;

(o) The wording of the decision related to General and Special Programmes needs and resources adopted at the annual (or any other) session of the Executive Committee shall better reflect the enhanced governance exercised by the Executive Committee over these Programmes;

(p) Within the broad framework of oversight of the work of UNHCR, the Executive Committee, in the course of its annual session and at inter-sessional meetings, shall consider, according to an agreed timetable, the various reports on audits, programmes, evaluations, and on the work of the UNHCR Inspection and Evaluation Service, as well as UNHCR's response to these reports;

(q) Programme documentation should be so presented that the focus is principally on countries/areas with a clear picture of programmes at the country level;

(r) Programme documentation (covering both General and Special Programmes) for given countries/areas should be concise (not exceeding six pages) and be primarily focused on and offering justification for programmes in a planning year; the current and prior years' activities shall be addressed only to explain any significant variations from estimates and planned activities. Special Programmes covering more than one country will also be presented separately, with corresponding consolidated tables showing estimates and expenditure;

(s) The presentation of the annual accounts should be improved; in particular, the number of Special Programmes accounted for individually in the Annex to Statement 2 (which sets out income and expenditure for Special Programmes) shall be expanded to include the most important of those which are currently reported under "Other Trust Funds"; to the extent possible, "Other Trust Funds" should be identified by region;

(t) Among the steps to be taken to further enhance UNHCR's budgetary structure and related matters, study and informal consultations will be undertaken in relation to the following:

(i) the further adaptation and improvement of the budget structure as provided for in (b) above;
(ii) the categories/sectors for reporting on UNHCR's activities, including the possibility of quantifying aspects of UNHCR's protection activities;
(iii) the presentation of budgets and reporting on programme activities, bearing in mind the need for conciseness and clarity, and the observations of the ACABQ in this regard;
(iv) review of UNHCR's current computer systems and databases and action to ensure that they are adapted to UNHCR's budgeting and reporting needs;
(v) ways to ensure better linkages between the presentation of UNHCR's budgets in the United Nations Biennium Budget in support of the Medium Term Plan and the current UNHCR annual budgets presented to the Executive Committee;
(vi) ways to ensure a better funding base for UNHCR activities;
(vii) review UNHCR's Financial Rules, including the provisions governing General and Special Programmes.

C. Decision on the Strengthening of the Coordination of Emergency Humanitarian Assistance (ECOSOC Resolution 1995/56)

23. The Executive Committee,

(a) Welcomes the resolution adopted by the 1995 substantive session of ECOSOC on the strengthening of the coordination of emergency humanitarian assistance (1995/56);

(b) Decides that the first inter-sessional meeting of the Standing Committee in 1996 should give specific consideration to the resolution and its significance for the work of UNHCR;

(c) Requests the High Commissioner to submit to that Standing Committee meeting a proposal as to how the various aspects of the resolution relevant to the work of UNHCR might most effectively be reviewed in the course of the inter-sessional meetings in 1996;

(d) Calls on UNHCR to pursue in the Inter-Agency Standing Committee the issues raised in the resolution;

(e) Urges Governments to ensure that the relevant issues are given priority consideration in the governing bodies of the other agencies concerned.

D. Conclusion on Refugee Women

24. The Executive Committee,

Having considered Refugee Women: the Achievements and the Challenges (EC/SC.2/77), presented to the thirty-fifth meeting of the Sub-Committee on Administrative and Financial Matters,

(a) Commends the Office of the High Commissioner for its role in ensuring a comprehensive presentation of the situation of refugee women in the Beijing Global Platform for Action,

(b) Notes the Guidelines on Preventing and Responding to Sexual Violence against Refugees;

(c) Reaffirms previous conclusions dealing with the protection of and assistance to refugee women, and in particular the recommendations of the Working Group (EC/1994/SC.2/CRP.23/Rev.1);

(d) Notes with concern that field implementation of the policy and guidelines continues to be unsystematic;

(e) Requests the High Commissioner to prepare a framework for implementation of the Beijing Platform for Action which will form the basis of future UNHCR planning on refugee women's issues as well as reports to the Executive Committee and the Commission on the Status of Women;

(f) Calls on the High Commissioner to report on the delivery of the implementation framework at the forty-seventh session of the Executive Committee, with particular emphasis on field implementation of the policy and guidelines, and on UNHCR implementation of the recommendations of the Working Group referred to above.

E. Conclusion on Refugees and the Environment

25. The Executive Committee,

Noting with appreciation the Progress Report on the Guidelines on Refugees and the Environment (EC/SC.2/ 79), presented to the thirty-fifth meeting of the Sub-Committee on Administrative and Financial Matters,

(a) Approves the reformulated environmental policy and notes the proposed operational outcomes which will enable UNHCR to make a more focused contribution to resolving refugee-related environmental problems;

(b) Requests the High Commissioner to revise the interim guidelines to give effect to the reformulated policy;

(c) Also requests the High Commissioner to promote and enhance coordination and collaboration with host Governments, donors, relevant United Nations organizations, intergovernmental organizations, non-governmental organizations and other actors concerned to address refugee related-environmental problems in a more integrated and effective manner;

(d) Calls on the High Commissioner to keep the Executive Committee informed through its Standing Committee on the implementation of this policy, in particular of financial implications and environmental actions initiated in the field, and to present a progress report on the results achieved at that time to the forty-eighth session of the Executive Committee in 1997.

F. Conclusion on the UNHCR-NGO Partnership in Action Process

26. The Executive Committee,

Recalling the conclusion on the PARinAC (Partnership in Action) Process adopted by the Executive Committee at its forty-fifth session (A/AC.96/839, para. 35),

Noting with appreciation the Report on PARinAC (EC/1995/SC.2/CRP.20) presented to the thirty-fourth meeting of the Sub-Committee on Administrative and Financial Matters,

(a) Reaffirms the importance of the Oslo Declaration and Plan of Action, adopted at the Global Conference in June 1994, as a joint agenda for humanitarian action;

(b) Welcomes the establishment of UNHCR and NGO focal points to facilitate communication and coordination;

(c) Encourages UNHCR and NGOs to continue to pursue activities in the field and at Headquarters, to enhance their partnership in protection and assistance;

(d) Encourages NGOs, Governments and UNHCR to continue to identify areas in the Plan of Action where they can cooperate further to implement particular recommendations;

(e) Requests the High Commissioner to report to the forty-seventh session of the Executive Committee about the progress made on the follow-up to the PARinAC process.

G. Regional Conclusions

1. Conclusion on the Situation of Refugees, Returnees and Displaced Persons in Africa

27. The Executive Committee,

Having considered the situation of refugees, returnees and displaced persons in Africa,

(a) Recalls the Conclusion of the forty-fifth session of the Executive Committee of the High Commissioner's Programme on the situation of Refugees, Returnees and Displaced Persons in Africa (A/AC.96/839), and acknowledges with appreciation the statement of the Secretary-General of the Organization of African Unity (OAU) at the opening of the forty-sixth session of the Executive Committee of the High Commissioner's Programme;

(b) Notes with concern the effects of political instability, internal strife, human rights violations, foreign interventions and poverty in increasing the number of refugees and displaced persons in some areas of Africa;

(c) Expresses its appreciation and strong support for those African Governments and local populations which, in spite of general deterioration of socio-economic conditions and over-stretched national resources, continue to accept the additional burdens imposed by increasing numbers of refugees and displaced persons, in compliance with relevant asylum principles;

(d) Expresses its concern regarding instances in some parts of Africa where the fundamental principle of asylum is jeopardized as a result of unlawful expulsion, *refoulement*, or other threats to life, physical security, dignity and well-being;

(e) Welcomes the strengthening of UNHCR cooperation with the OAU at all levels, and urges the two organizations, with relevant sub-regional bodies, United Nations agencies, non-governmental organizations (NGOs), the international community and the concerned Governments to increase their efforts in working out strategies and implementation of solutions to the root causes of the problems of displacement in Africa;

(f) Further recalls General Assembly resolution 49/7 which called for the convening of a Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, and welcomes the initiatives of the High Commissioner to implement this resolution and endorses the Bujumbura Plan of Action adopted in February 1995, as a framework for solution-oriented approaches to the humanitarian problems in the Great Lakes Region;

(g) Calls on UNHCR to intensify its protection activities by, inter alia, supporting African Governments through appropriate training of relevant officers and other capacity-building activities, disseminating information about refugee instruments and principles and providing financial, technical and, advisory services to accelerate the enactment/amendment and implementation of legislation relating to refugees;

(h) Expresses appreciation for the efforts of Governments and for the important work being done by UNHCR, United Nations agencies, the International Organization for Migration, NGOs and other cooperating bodies on the implementation of voluntary repatriation of refugees in Africa; and calls on UNHCR in conjunction

with the OAU and concerned Governments, sub-regional groupings and other interested parties, actively to continue to seek sustainable solutions to the refugee problem in Africa, in particular through facilitating voluntary return in a dignified and orderly manner;

(i) Encourages UNHCR to continue to cooperate with the Office of the High Commissioner for Human Rights in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

(j) Appeals to Governments, United Nations agencies, non-governmental organizations and the international community to create conditions that facilitate return and the early rehabilitation and reintegration of refugees;

(k) Commends the governments of the Great Lakes Region and the High Commissioner for Refugees on their initiatives to promote repatriation in the framework of Tripartite Agreements on Voluntary Repatriation of Refugees in the Region;

(l) Calls on UNHCR, in conjunction with host Governments, United Nations agencies, NGOs and the international community, to undertake early assessment of negative impacts of large refugee concentrations on the hosting communities with a view to initiating timely and concrete measures to prevent damage and to assist in its repair, especially damage to the environment and eco-systems in host countries, caused by mass refugee influxes;

(m) Notes with satisfaction the voluntary return of some 1.7 million Mozambicans to their homeland following near completion of UNHCR's three-year repatriation and reintegration operations and looks forward to other programmes to assist the voluntary repatriation of other refugees in Africa;

(n) Expresses concern over the long stay of refugees in certain African countries and calls upon the High Commissioner to keep under review her programmes in those countries, taking into account the increasing requirements in that region.

2. Conclusion on the Comprehensive Plan of Action for Indo-Chinese Refugees (CPA)

28. The Executive Committee,

Reaffirming the decisions of the Fifth and Sixth Meetings of the Steering Committee of the International Conference on Indo-Chinese Refugees, particularly concerning the target dates for the end of CPA activities,

Expressing grave concern at the decline in voluntary repatriation of Indo-Chinese camp populations in 1995, and the large number of remaining Indo-Chinese in camps in the region,

(a) Calls on UNHCR to convene a meeting among members of the Steering Committee at the earliest appropriate time, preferably by the end of December 1995, in the region, in order to assess the current situation and to consider necessary measures and durable solutions to ensure successful conclusion of the CPA;

(b) Strongly appeals to the international community to provide necessary support for the repatriation of Indo-Chinese camp populations under both voluntary repatriation and orderly return programmes, as well as developmental assistance to the countries of origin necessary for reintegration of all returnees;

(c) Notes with appreciation that the countries of origin continue to facilitate the work of UNHCR and other appropriate intergovernmental and non-governmental organizations engaged in providing assistance to returnees; calls on these countries to continue to ensure reasonable access to returnees by such intergovernmental and non-governmental organizations;

(d) Supports UNHCR in its active role in the promotion of repatriation programmes and in its continued monitoring of the safety of all returnees, consistent with the decisions of the Fifth and Sixth Steering Committee Meetings;

(e) Requests all parties concerned to continue to cooperate fully in the implementation of the relevant Memoranda of Understanding and agreements relating to the repatriation of Indo-Chinese camp populations.

3. Conclusion on Voluntary Repatriation to Afghanistan

29. The Executive Committee,

Recalling the conclusion on voluntary repatriation to Afghanistan adopted by the Executive Committee at its forty-fifth session (A/AC.96/839, para. 32),

(a) Recognizes the grave burden imposed on Pakistan and the Islamic Republic of Iran by the continuing presence of large number of Afghan refugees, especially with the decline in the level of support extended by the international community, and calls for continued international support for the Afghan refugees in Pakistan and the Islamic Republic of Iran, and for their early repatriation to their homes in safety and dignity;

(b) Notes with satisfaction the increase of UNHCR activities in the safe areas of Afghanistan that refugees are returning to and the importance of these activities in creating conditions conducive to the continued return of refugees;

(c) Calls upon the international community to support a comprehensive approach to the return of the Afghan refugees and the rehabilitation of affected areas;

(d) Urges the international community and the Governments of the region to increase their support for the efforts of the United Nations' Special Mission and the Organization of the Islamic Conference aimed at working out a political solution to the Afghan crisis, thus allowing for the return of the Afghan refugees and displaced persons to their homes in safety and dignity;

(e) Calls upon the international community to continue its generous support for the humanitarian programmes in Afghanistan outlined in the Consolidated Inter-Agency Appeal for Emergency Humanitarian and Rehabilitation Assistance to Afghanistan (1 October 1995 - 30 September 1996);

(f) Calls upon the High Commissioner to maintain the activities of her office in Afghanistan and its neighbouring countries still hosting a large number of refugees, and to continue the collaboration of her Office with the Governments concerned, other international humanitarian agencies and NGOs for the provision of assistance to refugee areas in keeping with needs in these countries until such time as the refugees are able to return to their homes in safety and dignity;

(g) Requests the High Commissioner to work closely with the Afghan authorities so as to ensure that the basic rights of the returnees and displaced persons are respected and appropriate measures aimed at redressing possible violations are carried out;

(h) Calls upon the High Commissioner to extend the activities of her Office in Afghanistan to other areas of potential return working in close cooperation with the United Nations agencies through collaborative ventures which will maximize benefits to communities receiving returnees;

(i) Urges the High Commissioner to continue to play a supportive and catalytic role to mobilize the involvement of international and multilateral organizations as part of the rehabilitation strategy to sustain repatriation.

4. Conclusion on the CIS Conference Process

30. The Executive Committee,

Recalling General Assembly resolution 49/173 adopted on 23 December 1994,

Reiterating its support for the High Commissioner's consultations, which should lead to a regional conference to promote and develop a comprehensive strategy to address problems of refugees, returnees, displaced persons and other forms of involuntary displacement in the CIS and other relevant neighbouring States,

(a) Notes with appreciation the Information Note on the CIS Conference Process presented to the forty-sixth session of the Executive Committee (A/AC.96/855) and the progress achieved so far through the preparatory process where the scope and objectives of the Conference, definitions, as well as causes and effects of population movements in the region have been discussed in the first meeting of experts, steering group and various sub-regional meetings;

(b) Supports the preparatory process, to be continued in transparency, leading to the elaboration of a Declaration of Principles and a Programme of Action for submission to the regional conference to be convened in 1996;

(c) Welcomes the establishment of a common Secretariat for the preparation of the Conference comprising UNHCR, the International Organization for Migration (IOM) and the Organization for Security and Cooperation in Europe and its Office for Democratic Institutions and Human Rights (OSCE/ODIHR);

(d) Calls on all States concerned and relevant intergovernmental organizations to participate actively in the preparatory process;

(e) Urges Governments which have not yet done so to contribute to the Secretariat in order to assist it properly to support the Conference process;

(f) Welcomes consultations launched by the Conference Secretariat with NGOs and independent actors and encourages their participation in this consultative process and its follow-up;

(g) Requests the High Commissioner to report to the forty-seventh session of the Executive Committee about the outcome and follow-up of the Conference.

5. Conclusion on Humanitarian Issues in the Territory of the Former Yugoslavia

31. The Executive Committee,

(a) Expresses its utmost concern for the fate of refugees and displaced and missing persons within and from the territory of the former Yugoslavia;

(b) Emphasizes the importance of continued international protection and the ongoing need for humanitarian assistance;

(c) Welcomes the ongoing peace efforts and notes with satisfaction that fundamental humanitarian and human rights principles are to be included in the comprehensive peace agreements as indispensable elements to achieve a lasting peace;

(d) Recalls UNHCR's mandated role in the protection of and assistance to returnees and supports the retention by UNHCR of its lead United Nations humanitarian agency role in the post settlement period;

(e) Recognizes that voluntary repatriation, when it is feasible, is the ideal solution to the refugee problem, and calls upon Governments of the countries of origin to create conditions for and to ensure the organized return of refugees and displaced persons in safety and dignity in a phased and coordinated manner, in cooperation with and the assistance of UNHCR, the host countries and the international community as a whole;

(f) Reiterates the urgent appeals by the international community to grant relevant organizations immediate access to all detained persons and to provide full information on the fate of those unaccounted for;

(g) Calls upon the international donor community to continue to contribute generously to the ongoing humanitarian efforts as well as those humanitarian and rehabilitation programmes to be undertaken within the framework of a possible peace settlement.

H. Decisions on Executive Committee Working Methods

1. Decision on Executive Committee Working Methods

32. The Executive Committee,

Recalling decisions taken at its special meeting held on 20 June 1995 (A/AC.96/843), and noting the report of the Working Group on Executive Committee Working Methods (EC/SC.2/76) and the recommendations of the Sub-Committee on Administrative and Financial Matters thereon (EC/1995/SC.2/CRP.30), decides that:

(a) The Committee will reconstitute its annual cycle of meetings to comprise one annual plenary session and a number of inter-sessional meetings of a Standing Committee of the Whole. This Standing Committee will replace the current Sub-Committee of the Whole on International Protection, the Sub-Committee on Administrative and Financial Matters, and the Informal Meetings of the Executive Committee;

(b) The work of the Standing Committee will be structured in such a way as to facilitate discussion of protection, programme and financial issues, as well as complex questions that cut across these categories;

(c) The Standing Committee will meet some four times per year, with the precise number of meetings to be determined by the requirements of good governance;

(d) The penultimate annual meeting of the Standing Committee will focus on questions of international protection and their programme implications;

(e) A meeting of the Standing Committee will take place at least three weeks prior to the annual plenary in order to focus on the preparation of the draft decisions and conclusions which will be presented to the plenary for adoption, following further consultations, in the framework of the Standing Committee's report, the Note on International Protection and other relevant documentation;

(f) The annual plenary session of the Executive Committee will be held in mid-October so as to facilitate the preparation of draft plenary decisions and conclusions by the Standing Committee;

(g) The agenda of the annual plenary session of the Executive Committee will be reformed to ensure more focused policy discussion, clear linkage with the work of the Standing Committee and more effective decision-making;

(h) The General Debate will be discontinued and be replaced by a debate on a focused annual theme to be selected in consultation with the High Commissioner and the Standing Committee at a meeting held at least three months before the annual plenary session;

(i) The discontinuation of the general debate should not hinder Governments from bringing pressing refugee concerns in their own countries to the attention of the Executive Committee and such statements will be accommodated on a flexible basis, within the agenda item most appropriate;

(j) Special consideration will be given to Ministers or other government officials of similar rank, who will, upon request, be accorded the opportunity to make a statement on their concerns at an early stage of the meeting;

(k) The Executive Committee, at its annual plenary session, will formally identify issues to be covered in the work programme of the Standing Committee and review the Standing Committee's work at its following session;

(l) The Standing Committee will be authorized to add items, as appropriate, to its agenda in addition to those referred to it by the plenary;

(m) Executive Committee members will meet at an early date after the annual plenary session to establish the calendar of Standing Committee meetings;

(n) The reformed agenda of the annual plenary will be structured as follows:

(i) Opening of the session
(ii) Election of officers
(iii) Adoption of the agenda and other organizational matters
(iv) Annual theme
(v) Reports on the work of the Standing Committee on international protection and programme, administrative and financial matters
(vi) Consideration and adoption of programme budgets
(vii) Reports relating to programme oversight
(viii) Matters for consideration by the inter-sessional meetings of the Standing Committee
(ix) Any other business
(x) Adoption of report;

(o) The annual session of the Executive Committee will be contained within the current time frame of one week;

(p) A ten-minute time limit will be strictly applied to statements made under the debate on the annual theme and a five-minute limit to interventions made under other items of the agenda;

(q) The annual plenary session will adopt the General Decision on Programme, Administrative and Financial Matters, the General Conclusion on International Protection and the Programme of Work of the Standing Committee;

(r) The Executive Committee will delegate to the Standing Committee authority to adopt decisions and conclusions on matters included in its annual programme of work;

(s) Such delegation will include the authority to approve adjustments of up to 10 per cent to the General Programmes budget; where adjustments in excess of 10 per cent are recommended by the Standing Committee, a special meeting of the Executive Committee will be called in accordance with rule 1 of the Rules of Procedure (A/AC.96/187/Rev.4);

(t) All decisions and conclusions adopted by the Standing Committee will be reported to the plenary and included in its annual report to the General Assembly;

(u) The Standing Committee will prepare, on the basis of its own discussions, draft decisions and conclusions scheduled for adoption at the annual plenary session;

(v) Drafts of decisions and conclusions, including those introduced by member Governments, must be made available by the Secretariat sufficiently in advance of any Standing Committee meeting for consultation to take place with capitals;

(w) A central role will be played by the Executive Committee's Rapporteur in the preparation of decisions and conclusions for adoption by the Executive Committee or its Standing Committee;

(x) The Rapporteur will need to maintain a flexible consultative arrangement to ensure consensus on decisions and conclusions;

(y) The number of decisions and conclusions will be streamlined and limited to items which have been the subject of focused debate in either the plenary or the Standing Committee;

(z) In the interest of brevity, the number of preambular paragraphs to decisions and conclusions of the Executive Committee and Standing Committee will be reduced to the greatest possible extent;

(aa) In order to facilitate effective decision-making, all documentation prepared for Standing Committee meetings must be available to delegations at least three weeks prior to any meeting;

(bb) Consideration of any agenda item on which a Standing Committee decision or conclusion is required will be postponed to a later meeting in cases where documentation is not made available at least three weeks before the Standing Committee meeting at which it is scheduled for consideration;

(cc) Where exceptional circumstances justify the late issue of any document, the above requirements may be waived by the Chairman of the Standing Committee;

(dd) A clear distinction will be introduced between information papers and those requiring substantive discussion and endorsement by the Executive Committee or the Standing Committee;

(ee) Where a decision or conclusion of the Executive Committee or Standing Committee is sought, each document will conclude with a proposed text for adoption by the Committee;

(ff) Executive Committee and Standing Committee documents will be limited in principle to six single-spaced pages, including the text of any accompanying decision or conclusion;

(gg) Any policy documents which exceed the six-page limit will be accompanied by a one-page executive summary to facilitate the work of delegations;

(hh) The six-page limit for Executive Committee and Standing Committee documents will also be applied to country chapters;

(ii) All policy documents and other documentation of general interest submitted to the annual plenary session of the Executive Committee will continue to be issued in the official languages;

(jj) In order to ensure that delegations receive in a timely fashion the translated versions of those documents to which they themselves accord priority, as well as to reduce costs, country chapters relating to UNHCR's programme budgets will be issued automatically only in the Working Languages of the Executive Committee, while individual chapters will be made available in other official languages upon selective request by any member delegation;

(kk) The above decisions for the reform of the Executive Committee's working methods will be implemented and their full implications thoroughly drawn before consideration is given to increased participation by observers in the work of the plenary or Standing Committee;

(ll) The above decisions, will be implemented on an experimental basis for one annual cycle of meetings and their application will be reviewed at the end of the forty-seventh session in October 1996.

2. Decision on the Introduction of Russian as an Official Language of the Executive Committee

33. The Executive Committee,

Having considered the High Commissioner's Note on the Introduction of Russian as an Official Language of the Executive Committee (EC/SC.2/80),

(a) Welcomes the election of the Russian Federation as a member of the Executive Committee;

(b) Emphasizes the importance of Russian in facilitating the work of UNHCR and implementation of the provisions of the 1951 Convention relating to the Status of Refugees, notably in the Commonwealth of Independent States;

(c) Decides, subject to budgetary approval by the General Assembly, to introduce Russian as an official language of the Executive Committee;

(d) Also decides to forward the matter to the General Assembly for budgetary approval.

3. Decision on the Programme of Work of the Standing Committee in 1996

34. The Executive Committee,

Having reviewed the issues before it at its forty-sixth session, including the reports of the Sub-Committee of the Whole on International Protection (A/AC.96/858) and of the Sub-Committee on Administrative and Financial Matters (A/AC.96/859), and bearing in mind the Report of the Working Group on Executive Committee Working Methods (EC/SC.2/76),

(a) Decides to include the following issues in the programme of work of its Standing Committee in 1996, and requests that UNHCR include in its documentation on each item the relevant audit and ACABQ recommendations as well as steps taken to implement those recommendations and related Executive Committee decisions and conclusions:

International Protection

Note on International Protection

Follow-up to the Conclusions on International Protection

The return of persons not in need of international protection

Programmes and funding matters

(i) Updates on programmes, funding and results, to include:

- Region by region reviews of General and Special Programmes
- Reviews of the use of the emergency fund, programme reserve and the voluntary repatriation fund

(ii) Implementation and results of UNHCR policies under General and Special Programmes

(iii) Follow-up to the conclusions of the informal consultations on budget structure

Coordination questions

ECOSOC resolution 1995/56 on the strengthening of the coordination of emergency humanitarian assistance

Management, financial and human resources matters

(i) Implementing partners:

- Managerial control and monitoring
- Overhead costs, including headquarters costs of NGOs

(ii) Reports relating to oversight and evaluation
(iii) Human resources policies
(iv) Administrative matters, including headquarters structure and staffing levels
(v) Other resource management, including capital and information management

Work of the Executive Committee

Selection of the annual theme to be considered at the forty-seventh session of the Executive Committee

(b) Authorizes the Standing Committee to add items, as appropriate, to its inter-sessional programme of work;

(c) Calls on the Standing Committee to report on its work to the forty-seventh session of the Executive Committee.

I. Government Observer Participation in 1995-1996

35. The Executive Committee considered and approved applications by the following Government Observer delegations for participation in inter-sessional meetings of the Executive Committee from October 1995 to October 1996:

Afghanistan, Angola, Bulgaria, Burundi, Burkina Faso, Croatia, Cuba, Cyprus, Czech Republic, Egypt, Equatorial Guinea, Ghana, Honduras, Iceland, Iraq, Ireland, Jordan, Kenya, Mauritania, Mexico, Myanmar, Nepal, New Zealand, Panama, Poland, Portugal, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Slovakia, South Africa, Swaziland, Syrian Arab Republic, Sri Lanka, Viet Nam, Uruguay, Ukraine, Yemen, Zimbabwe.

IV. PROVISIONAL AGENDA OF THE FORTY-SEVENTH SESSION

36. The provisional agenda of the forty-seventh session of the Executive Committee is contained in sub-paragraph 32 (n) above.

Opening Statement by the United Nations High Commissioner for Refugees
at the Forty-sixth Session of the Executive Committee
of the High Commissioner's Programme

(Monday, 16 October 1995)

Mr. Chairman, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

I am pleased to welcome you to the forty-sixth session of the Executive Committee. May I extend a special welcome to the delegations of Bangladesh, India and the Russian Federation. Their presence here, at their first regular session of the Executive Committee, symbolizes the global nature of refugee concerns and the universal support for the mandate of my Office.

I should like to thank the outgoing Chairman, Ambassador Kamal of Pakistan, who, despite the competing claims on his time in New York, has made a special effort to come to Geneva to open the meeting. Let me congratulate you, Mr. Chairman, and the new Bureau on your election. As the representative of a country which has been a strong and constant supporter of UNHCR, and as a treasured friend of the Office, we look forward to continue working closely with you.

I would also like to welcome our special guest, His Excellency Dr. Salim A. Salim, the Secretary-General of the Organization of African Unity. His presence here today is testimony to the close cooperation which the OAU and UNHCR have enjoyed for more than a quarter century. It is also indicative of the importance of Africa to the work of my Office. Africa hosts more refugees and internally displaced persons than any other continent of the world. Africa is also the scene of voluntary repatriation today. Of the close to two million refugees who returned home in 1994, 1.5 million were in Africa. Out of 18 planned repatriations in 1996, 9 are foreseen in Africa. I count on the OAU's conflict resolution mechanism and its leadership to help create and maintain the momentum on the voluntary repatriation of refugees.

Mr. Chairman, UNHCR has been confronted with massive emergencies every year since I became High Commissioner in 1991. In recent weeks almost half a million people were displaced by war and violence in former Yugoslavia. The urgency of saving lives in the course of the past year has been matched by the pressures to find solutions and the dilemmas of ensuring protection, whether in refugee camps or returnee communities, in situations of open conflict or fragile peace. In a world in which war deliberately targets civilians and peace fails to bring security, UNHCR's dual mandate of international protection and solutions has been severely tested this past year in almost every region.

In the aftermath of the emergency in the Great Lakes region we sought to respond to the strong pressure for early return, while continuing to take care of two million refugees and remaining vigilant to new risks of displacement. In Angola, thanks to the implementation of the political settlement, we have launched our operation to assist some 311,000 refugees to return home by mid-1997. In Sudan we have embarked on voluntary repatriation to Eritrea and Ethiopia. In West Africa we have tried to nurture solutions. In contrast, in South-East Asia, Central America, Tajikistan and Mozambique, where solutions have taken root successfully, we have grappled with ways

to phase down or move out. In the Middle East we have been encouraged by the evolution of peace and remain ready to play our role in line with our mandate and in cooperation with other organizations. Elsewhere, the picture has been mixed. In Afghanistan renewed violence has set back the flow of repatriation. In former Yugoslavia peace talks have offered the first glimmer of hope in months, although I fear that in the short term there could be more displacement as people are forced to move to accommodate territorial adjustments.

The thrust of these various developments has been to put the issue of solutions, and more precisely repatriation, even higher on UNHCR's agenda. One important statistic shows the extent to which we have shifted from a bias on exile to a focus on the country of origin. Of the 27.4 million persons of concern to UNHCR today, only about 14.5 million are refugees. The rest include 4 million returnees, 5.4 million internally displaced persons and 3.5 million civilians affected by conflict. Almost half of the population of concern to UNHCR is thus to be found within their own country.

These statistics also reveal that while the number of refugees has declined, the numbers and categories of those in need of international protection and assistance are in fact expanding. They illustrate that the pursuit of solutions without regard to protection will not take us far, and that international protection is a more complex task than merely assuring asylum. The two arms of my mandate are fundamentally linked. The objective of protection must be, not to perpetuate exile, but to encourage solutions. But if solutions are not approached from the perspective of protection, in other words, if they fail to protect the basic human rights of the individuals - then they will be neither effective nor permanent. Extending from flight, through exile, to return and reintegration, protection principles provide the over-arching framework for the prevention and solution of refugee problems.

In my statement today I should like to focus on our efforts to develop a new paradigm of protection oriented towards solutions. How do we seize the political impulse for solutions while retaining the humanitarian imperative for protection? What are the prospects and the possibilities which inspire us, the dilemmas and difficulties which confront us? Externally, what are the partnerships we must cultivate? Internally, what are the management priorities and structures we must establish?

Dilemmas of Protection

Mr. Chairman, one of the most difficult problems confronting my Office in recent years has been the decline of asylum, even on a temporary basis. Many countries are openly admitting their weariness with large numbers of refugees and blatantly closing borders. Others are more insidiously introducing laws and procedures which effectively deny admission to their territory. This year was particularly significant in that developments in the Great Lakes region demonstrated that even the proverbial African generosity towards refugees has become strained.

The threat to asylum has taken on a global character, affecting both the developing as well as the industrialized world. In major incidents in Africa and Europe in recent months, borders have been closed to refugees fleeing danger. Thousands of

refugees and displaced persons have found themselves caught in the midst of conflict and violence. Some have been killed, others have been brutally attacked and terrorized, or forced to return to danger.

Mr. Chairman, international protection reflects the convergence of humanitarian and political interests. In many circumstances asylum is not only the most powerful tool of protection but also the most pragmatic, especially when provided on a temporary basis. This is why UNHCR requested Governments to provide temporary protection to those fleeing the conflict in former Yugoslavia, and has urged them to continue it for the time being. The possibility of temporary asylum encourages a phased and orderly approach to repatriation, and thereby assures greater stability for peace and progress in the country of origin. I call upon the members of this Committee to support our endeavours to ensure respect for the institution of asylum, at least on a temporary basis, for those fleeing persecution, conflict and civil strife.

Mr. Chairman, I am fully conscious that the decline of asylum cannot be arrested simply by appealing to the generosity of States. It must be addressed, on the one hand, by action to enable countries to receive refugees, and on the other, by initiatives to find solutions to refugee problems, and where possible to prevent the outbreak of new crises.

Peoples and Governments around the world have shown and continue to show remarkable hospitality to millions of refugees, despite their own political, social, economic and environmental constraints. The costs of hosting large numbers of refugees are not always measurable in dollar terms. UNHCR's refugee assistance does not redress the collateral impact of refugees on the host countries. If Governments are to continue to grant asylum, greater attention must be given by the international community to addressing the concerns of affected host communities, and strengthening their capacity and willingness to cope with population movements.

One area which has attracted attention in the aftermath of the Rio Summit has been environmental damage caused by large concentrations of refugee population. In the light of those concerns UNHCR is proposing a reformulation of its environmental policy. The objective is to make the environmental dimension an integral aspect of our operations.

Nor can we ignore the security implications of large-scale refugee flows. Indeed, the security dimension of today's refugee problems underscores both the decline of asylum as well as the drive towards solutions. In an effort to assist Governments to meet their international obligation to refugees, UNHCR strengthened the capacity to maintain law and order in the refugee camps in the United Republic of Tanzania and eastern Zaire. During my visit to Kivu in early September, I saw for myself the improved situation, thanks to the Zairian security personnel deployed with UNHCR's assistance and the international security advisers seconded to UNHCR by Governments.

Insecurity in refugee camps is not only a matter of law and order but also of maintaining the civilian character of the camps, which is a fundamental principle of

international protection. Although the primary obligation lies with the authorities granting asylum, UNHCR will do whatever it can within its mandate and in line with its expertise to help ensure respect for the principle, including seeking the relocation of camps if necessary.

The Challenges of Solutions

Increased assistance to host countries alone, however, will not meet the demands of maintaining asylum. Whether in South-East Asia or Central Africa, the Caribbean or the Balkans, the universal reality is that protection abroad cannot be assured without a parallel effort to find solutions at home. Mr. Chairman, as refugees grow more impatient to return home, as Governments become more reluctant to grant asylum, and donors find other calls on their purse, how long can we wait for solutions to materialize? What are the parameters of UNHCR's mandate to promote solutions? What are the challenges we face in pursuing them?

In some parts of the world, political events may be turning the tide away from human suffering to homecoming. In others, it may take longer. However, in none of these instances is return likely to be under ideal conditions. In many it will be dogged by political insecurity and economic uncertainty. Anti-personnel mines are a major obstacle to returns. I am therefore disappointed the Vienna Conference failed to make progress on this issue.

For UNHCR, the challenge of solutions lies in seizing the opportunities, while remaining alert to the dangers. It lies in ensuring that protection principles, not political expediency, guide the pursuit of humanitarian solutions. Working closely with political and peace-keeping operations, for instance in Rwanda, Liberia, Bosnia and Herzegovina and the CIS, we have sought to inject humanitarian concerns into the political discourse, and to reinforce our capacity to carry out our protection and assistance activities. The partnership has been fruitful, but obviously the humanitarian and strategic objectives have not always coincided. The relationship, particularly with the military, has at times created pressures on our humanitarian mandate.

In some cases, as in Angola and Tajikistan, we have reaped the benefits of our cooperation. In a few, such as the Caucasus, humanitarian solutions have become hostage to the lack of progress on parallel political negotiations, although I believe we are playing a meaningful role in that sub-region by assisting displaced populations. In other regions, for other reasons, the situation of Bhutanese refugees in Nepal continues to suffer from a stalemate, while repatriation to Afghanistan has stalled, prolonging the refugee burden of Islamic Republic of Iran and Pakistan. We need to look at fresh strategies to break the impasse.

Ultimately, the challenge of solutions is not only to ensure that the humanitarian issues are on the political agenda but that those who return feel secure in their own homes.

New Dimensions of Protection

Protection needs do not disappear when people repatriate. On the contrary, they tend to resurface in more complex forms in the country of origin, as the problem of the internally displaced has shown, whether in Rwanda or the Russian Federation. This has given a new dimension to our protection responsibilities and has led us to interpret our mandate for solutions in a protection oriented but proactive manner. Just as we no longer wait for refugees to cross the border but are increasingly involved with the internally displaced in order to avert outflow, we can no longer passively wait for conditions to change so that refugees can volunteer to return. Instead, we must work actively to create the conditions conducive to their safe return. It is important therefore that the protection debate moves on from interpreting voluntary repatriation solely in terms of the expression of individual will to the creation of conditions of safety - in the refugee camps, in the reception centres and in the home areas.

Rwanda shows the dilemmas of this approach, but also the way in which we have sought to overcome them. It is clear that in the longer term, the answer in the Great Lakes region lies in a comprehensive political solution. In the short term, however, I do believe that progress on humanitarian issues through voluntary and safe return can contribute to the political process, while easing the humanitarian crisis. It is this conviction that guided us in organizing the Bujumbura conference jointly with the OAU last February. The Bujumbura Plan of Action provides a comprehensive framework for solutions involving countries of asylum and origin as well as other interested Governments.

Although I was disappointed at the failure to implement the Plan earlier, I believe that my recent mission, followed by the convening of the Tripartite Commission in Geneva at the end of September, has helped to create a momentum in favour of voluntary repatriation. Zaire has made clear its intention to deal with those who block repatriation. Rwanda for its part has unequivocally recognized the right of the refugees to return, and expressed its commitment to improve the reception and security of returnees, including full access for international monitoring. It would clearly reassure the camp population if the Rwandese Government were to define the different levels of responsibility in last years genocide and examine specific measures in response to lower levels of responsibility. I was encouraged by the Governments declared intention to proceed along those lines.

In the former Yugoslavia, assisting the victims has never been an end in itself for us. Our goal was and remains to help them return safely to their homes or to find new homes for those for whom return is not feasible. Last Tuesday at the meeting of the Humanitarian Issues Working Group of the International Conference on Yugoslavia, I reiterated UNHCR's willingness to promote the organized return of refugees and displaced persons, in keeping with its role as the United Nations humanitarian lead agency and in cooperation with our sister organizations. At the same time I stressed the importance of including humanitarian issues in the peace negotiations. People must not be used as pawns to further military and political interests. All returns must respect internationally accepted principles. The continued gross violations of human rights, ethnic cleansing and forcible return of refugees and displaced persons underline the importance of a firm commitment by all parties to

human rights and humanitarian principles, and of international monitoring to ensure their compliance. Mr. Chairman, in many situations people want to return home but are afraid to do so. Our negotiations to obtain the guarantees on safety, our presence in the camps to inform the refugees, and in the areas of origin to reassure them are not only the prerequisites to successful repatriation, but the predominant elements of our mandate for protection and solutions.

International presence in the country of origin is an important confidence-building measure, both for returnees and the internally displaced. It has been instrumental in persuading the refugees to return from Bangladesh to Myanmar. I am pleased to report that more than 200,000 refugees have returned home so far. I hope the remaining 50,000 will repatriate over the course of the coming months, allowing us to phase down in Bangladesh while maintaining our presence in the areas of origin in Myanmar until reintegration is completed.

Another example is Tajikistan, where UNHCR's mobile monitoring teams helped to stabilize the areas of origin and encouraged the vast majority of the refugees and displaced persons to return home safely. We closed the operation recently, successfully handing over the human rights aspects to the OSCE, and the rehabilitation issues to UNDP and other development actors.

I welcome the important operational role of United Nations human rights monitors as part of the collaborative effort to create safe conditions in countries such as Rwanda, El Salvador and Guatemala. However, the recent killing of returnees in Guatemala has underscored the difficulties of ensuring safety in the country of origin. I have noted the prompt action by the Government to prevent recurrences. Obviously the success of a proactive solution-oriented approach is directly proportionate to the political commitment of the Governments concerned.

Reintegration and Resources

Mr. Chairman, viable solutions demand that efforts to safeguard human rights be paralleled by endeavours to rehabilitate socio-economic conditions. As you know, UNHCR has relied on the model of small, community based quick impact projects to spark rehabilitation, in situations as varied as Mozambique and Myanmar, Sri Lanka and Central America. Just as we have collaborated with political actors to ensure that humanitarian concerns are injected in the peace process, we have cooperated with development organizations like UNDP and financial institutions like the World Bank, to incorporate our reintegration efforts into the larger rehabilitation and development plans. However, as we try to phase down in Mozambique, the challenge is to ensure that others have a stake in the reintegration process and will continue when we leave. To further this goal, we are embarking on a consultative process with the World Bank to identify concrete strategies for specific countries.

At a time when development assistance is shrinking and humanitarian needs are expanding, a third window for financing emergency rehabilitation activities is needed. It would allow donors to channel resources from both humanitarian and development funds, and for organizations, whether humanitarian or development, to utilize them. In this way both immediate rehabilitation and longer term reconstruction needs could be addressed in the recovery process.

The issue of resources is critical when it comes to post-conflict rebuilding. It is tragic, therefore, that our programme in Mozambique is among those most strapped for cash. Nothing is more critical, however, than the funding shortfall of US$ 50 million for the Rwanda Burundi Emergency Operation, which leaves us with very little flexibility to adapt either to increased repatriation or potential exodus.

However, I am pleased to report that the overall level of financial contributions to UNHCR for 1995 has been impressive, totalling US$ 757 million, of which US$ 296 million is for General Programmes. This is roughly equivalent to the pledges made at this point last year. As UNHCR's total budget reaches US$ 1.3 billion for the second consecutive year, I am the first to appreciate the enormousness of the demands we continue to make on our donors, large and small. I am very grateful for your generosity and understanding.

Imperative of Prevention

The gap between expanding needs and limited resources reinforces the importance of the search for an effective strategy of prevention. In an effort to promote a preventive approach to refugee problems, UNHCR has moved towards greater involvement with the internally displaced, particularly in the CIS region. Within the framework of an inter-agency effort and based on a clear division of responsibilities, we successfully responded to the emergency needs of those displaced from the Chechen Republic of the Russian Federation this past year. Having boosted the local response capacity, UNHCR is now gradually phasing down its activities.

True prevention means strengthening the will and capacity of Governments, individually and collectively, to preempt the reasons which force people to move. This is the underlying thrust of our efforts in the CIS and the neighbouring countries, where we have embarked on an ambitious project to draw up a regional action plan to address past, present and potential displacement. Further to General Assembly resolution 49/173 of 23 December 1994, UNHCR, together with IOM and the Office for Democratic Institutions and Human Rights of the OSCE, has organized several sub-regional meetings in preparation for the regional conference, hopefully in mid-1996. The Conference will adopt a declaration of principles as well as a programme of action. The process is proving to be invaluable in developing a regional strategy to avert population displacement in a part of the world marked by ethnic tensions.

Mr. Chairman, the challenge of prevention, as of solution, is ultimately protection. Early international presence can sometimes have a preventive impact, as was our experience in Tajikistan. However, if we are to break the pattern of coerced displacement, the security of States must presuppose the security of people within those States. A major test for the coming decades, as I see it, will be to develop

a humanitarian perspective of security. While UNHCR, with its limited mandate and resources, can make a modest contribution to that process, the primary responsibility for prevention, as for security, is clearly a political one.

Looking Ahead: Management Strategies

Four years ago, UNHCR launched its strategy of prevention, preparedness and solutions. Today, the review of our challenges shows the dramatic transformation in the approach to refugee problems. The second edition of the State of the Worlds Refugees, which comes out next month, highlights this solution-oriented approach. In taking the new direction, my Office has enjoyed the full confidence of the Executive Committee, for which I am grateful.

Mr. Chairman, I have just returned from New York where the United Nations is preparing to celebrate its fiftieth anniversary. It is a sobering moment as Member States evaluate the United Nations' performance for the past five decades and reassess their own expectations for the future. Spurred by the financial crisis, the issue of reform is high on the agenda. The future of the United Nations will inevitably affect UNHCR. We too must prepare for a vigorous reappraisal of how we work. If we are to do our job properly, we too must use our resources more effectively. Consolidating what we have achieved so far, I believe that for the coming year, we must set the following four priorities:

Firstly, we must revitalize our protection policies and strategies. They must both reflect the dimension of solutions, and respond to the needs of a growing range of beneficiaries. We are being compelled often to provide refuge in the midst of conflict and promote repatriation in the midst of insecurity. How can protection strategies be reformulated to take account of these realities? How can we better help States, whether of asylum or origin, to meet their obligations in the light of these constraints? As a first step we are setting up an internal working group to look at the problems in Africa. We hope to undertake a similar exercise also for Europe. Given the dominance of the domestic agenda in many countries, mobilizing public opinion as a tool of protection will be an important element of the strategy.

In refining our approach to protection and solutions, we have not overlooked resettlement. Let me thank the Governments and NGOs for supporting the consultations we have launched, and for their positive response to our resettlement appeal on former Yugoslavia.

Secondly, we must rethink the way we plan. The dynamics of displacement today require a planning approach which is comprehensive and integrated: comprehensive in covering the sequence of refugee flows from prevention to emergency response to solutions, and integrated in bringing together the entire spectrum of issues and actors.

Planning for partnership is vital. Given the multiplicity of organizations and agencies on the humanitarian scene today, our objective is to increase the predictability of action for mutual support, and thereby create a better basis for cooperation and coordination. We have strengthened our dialogue with the political and peace-keeping arms of the United Nations. We have cooperated with DHA, and with

the ICRC and IOM in their respective areas. We have refined the concept of service packages with Governments. We have further developed our operational agreement with WFP and signed a Memorandum of Understanding with UNFPA. I will be signing an agreement also with UNICEF when I visit New York next month. As for our closest partners, the NGOs, we are following up on PARinAC recommendations at the field level. The increasingly important role of regional organizations in peace-making has added a new dimension to our partnership strategy, as has the growing interest of institutions such as the World Bank in refugee and returnee issues.

Thirdly, we must reinforce the proper implementation and monitoring of our policies, guidelines and programmes. This includes our ability to monitor and control our implementing partners. I see it as an important priority for the coming year.

One area where the gap between policy and action has constantly drawn the attention of this Committee is that of refugee women. The Beijing Conference highlighted the considerable achievements we have made but also our shortcomings. We are introducing a number of specific measures to increase action and accountability, including additional resources to the field and stronger follow-up mechanism at Headquarters. Furthermore, I have decided to reformulate UNHCR's recruitment policies to give priority to women professional staff in order to try to reach parity by the year 2000.

Fourthly, we must restructure the way in which we work so as to improve our delivery, accountability and performance, and build a capacity to contract and expand in response to operational demands.

I have taken a number of steps to achieve this goal, including strengthening the top management in UNHCR. In an emergency driven organization such as ours, innovation can easily lapse into improvisation in the absence of a policy planning framework. This is why you will recall last year I decided to appoint a Director for Policy Planning and Operations. Having assessed the value and the need for the function, I am requesting the creation of a post of Assistant High Commissioner at the Assistant Secretary-General level, to which I hope you will accede. Overseeing the Regional Bureaux, policy development and external relations, and supported by a revamped research and information capacity drawn from existing resources, the Assistant High Commissioner will act as the fulcrum for an integrated approach to policy, planning and operations in UNHCR.

Mr. Chairman, like so many others we must also learn to do better and more with less. I have requested the Deputy High Commissioner to lead a management review of our priorities, procedures and personnel so that we can ascertain how best to improve delivery and increase productivity while reducing costs. Although the ratio of administrative costs between the field and Headquarters has actually declined, our expanding operations worldwide have pushed our budget and our staff to levels at which they cannot be sustained for long. Growth has a high management price and I am acutely conscious of my responsibility to assess those costs and make the cuts. In the course of the past year we have taken a number of initiatives to streamline management, increase delegation to the field and utilize our resources better. One of the most significant steps we are taking is to prepare an information and communications systems plan which will take us into the twenty first century.

I hope that one important result of all these initiatives will be the down-sizing of Headquarters and the redeployment or reduction of staff in the field, based on improved forward planning and prioritization. As new operations open up, we must phase down elsewhere, as we did a few years ago in Cambodia and more recently in southern Africa. We expect dramatic reductions in South-East Asia in 1996. The Comprehensive Plan of Action is in its final phase. However, some transitional arrangements may be still necessary to ensure the smooth conversion of the operation into a migration programme.

Obviously the key to productivity and performance lies in a highly trained, motivated and mobile staff. The reform of UNHCR's human resources management, particularly the implementation of the career management system and strengthening of staff training, remains high on my agenda. I should like to take this opportunity to thank Mr. Dan Conway, the outgoing Director of the Human Resources Management Division, for his efforts. I know that, as always, I can count on the commitment, competence and creativity of UNHCR staff in making the adjustments.

Mr. Chairman, let me conclude by saying that the fiftieth anniversary of the United Nations is an opportune moment for UNHCR also to reflect on where it is going and how it will get there. The United Nations is here to stay but the very nature of UNHCR's mandate ordains that we must disappear when our task is done. Yet, every day brings new challenges for us, ranging from peace in the Balkans to return in Rwanda and retrenchment in Asia. The imperative for action carries within it an impetus for change. While retaining the core of our principles and the thrust of our strategy, we must continuously revitalize the way we think and review the way we work. Our goal is to be a slimmer, trimmer organization, responsive to emergency needs, aggressive in the search for solutions and committed to protection. Our donors expect it, the countries of asylum and origin need it, and the refugees deserve it. In that process of constant renewal and change I know I can count on your support.

Thank you, Mr. Chairman.

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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-sixth session

REPORT OF THE FIRST MEETING OF THE STANDING COMMITTEE (30-31 January 1996)

I. INTRODUCTION

1. The first meeting of the Executive Committee's Standing Committee was opened by the Vice-Chairman of the Executive Committee, His Excellency Ambassador Ali Said Mchumo (United Republic of Tanzania).

II. DISCUSSION OF PROVISIONAL AGENDA

2. The Draft Annotated Agenda (EC/46/SC/CRP.1) was adopted without comment.

III. HIGH COMMISSIONER'S STATEMENT

3. The High Commissioner delivered the opening statement to the meeting.

IV. OVERVIEW OF RECENT DEVELOPMENTS

4. The Standing Committee had before it the document entitled Overview of Regional Developments (October to December 1995) (EC/46/SC/CRP.11). The Director of the Africa Bureau reviewed the situation in the Great Lakes region, which, with 1.7 million refugees, remains a priority concern for the Office. He said that for stability to return to the region, voluntary repatriation is the only solution.

5. In regard to the former Yugoslavia, the High Commissioner told delegations that a detailed plan of operations would be completed and delivered before the end of February. A Housing Trust Fund of $ 30 million had been established to assist in home repair. UNHCR's focus in the region is to facilitate voluntary repatriation in a safe and orderly manner. Norway offered to host a high-level working meeting on the former Yugoslavia in March. Austria announced that its Government would organize a human rights roundtable focusing on former Yugoslavia to be held in Vienna on 4 and 5 March.

6. Delegates expressed satisfaction with the January 1996 meeting in Bangkok on the Comprehensive Plan of Action (CPA) and generally agreed that it is time for UNHCR to phase out its programmes under the CPA. Some delegates emphasized that voluntary repatriation should continue to be promoted.

7. Speaking about the CIS Conference project, one delegate said that the January meeting had demonstrated that Conference preparation had "passed from words to action". Several delegations urged Governments to fully engage to ensure the success of the Conference.

8. One delegation denounced mistreatment of its nationals who were refugees in a neighbouring State. The delegation of the latter State denied the allegations. Both delegations reaffirmed their commitment to voluntary repatriation programmes.

9. Planned return operations in Guatemala are to go ahead as scheduled. Assurances of full cooperation from the new Government were recently given to Under-Secretary-General Goulding on a recent mission to the region.

10. Several delegations expressed satisfaction with UNHCR's success in repatriation programmes during 1995.

V. PROGRAMME AND FUNDING ISSUES

11. The Standing Committee had before it the Overall Programme and Funding Projections for 1995 and 1996 (EC/46/SC/CRP.4 and Add.1) and UNHCR's contribution to the United Nations Medium Term Plan: 1998-2001 (EC/46/SC/CRP.2)

12. A review of 1996 General Programmes was carried out. The projected needs for these programmes remain at $ 445.3 million, as approved by the Executive Committee at its October 1995 meeting. Programme needs under 1996 Special Programmes were estimated at $ 856.2 million, although these were expected to rise when the full requirements for the former Yugoslavia, including the shelter project, became known in February 1996. On the funding situation, it was noted that the recent trend of increased contributions to General Programmes was being maintained. As regards Special Programmes, although contributions to these had been significant, there were shortfalls in 1995 for programmes in the Horn, and the Great Lakes regions of Africa.

13. Addressing the issue of funding, one delegation asked that an up-to-date list of the principal donors and their contributions be given in future documentation. Another delegation stated that the approved General Programme level for a given year should be clearly indicated in tables, as well as the regional allocations for programmed activities. Yet another delegation felt that

it was necessary not only to strengthen UNHCR's donor base, but to broaden it as well. Several delegations welcomed the increased support for General Programmes, with one delegation underlining the need for dialogue between UNHCR and donors on the priority attached to the full funding of these programmes.

14. The Standing Committee adopted the related Decision on Programme and Funding (annexed).

15. Commenting on UNHCR's contribution to the Medium Term Plan, delegations expressed concern at the limited time available for its review. Delegations suggested a range of amendments which were incorporated into the revised text (EC/46/SC/CRP.2/Rev.2) for transmission to the United Nations Secretariat. The related Decision on the Medium Term Plan adopted by the Standing Committee (annexed) underlined the fact that the Standing Committee would need to review the Plan in the light of evolving circumstances so as to adjust objectives and priorities as necessary.

VI. CONSIDERATION OF ECOSOC RESOLUTION 1995/56

16. The Chairman drew the Committee's attention to the Consideration of ECOSOC Resolution 1995/56 (EC/46/SC/CRP.12), which provided a general framework for discussion on the ECOSOC resolution, and to three technical documents on aspects of emergency response, namely Operational and Financial Capacity of UNHCR in view of its Mandate and Role: Emergency Response (EC/46/SC/CRP.7), Information Note on the Development of Operative Memoranda of Understanding (EC/46/SC/CRP.8) and Consolidated Appeals (EC/46/SC/CRP.9). Introducing the item, the Assistant High Commissioner proposed that the Executive Committee structure its deliberations around the three main prongs of UNHCR's strategy, namely, emergency response, the promotion and implementation of solutions and prevention (as stated in CRP.12). The January meeting would focus on emergency response, the April meeting on issues related to solutions, including the continuum from relief to development and other aspects of country of origin operations, including protection considerations. The June meeting would take a closer look at prevention, while leaving some of the over-arching issues of capacity and coordination for consideration at the September session. The Assistant High Commissioner said that UNHCR would continue to participate actively in the inter-agency ECOSOC Task Force and he invited DHA to address the Standing Committee at its April meeting.

17. Most delegations who took the floor on this item broadly agreed with UNHCR's approach as set out in EC/46/SC/CRP.12. Supporting this, one delegation asserted that the documents constituted a strong and positive start to the consideration of the topic, while another felt that the long-term planning perspective was especially good. UNHCR participation in the Inter-Agency Standing Committee Working Group's Task Force on the resolution was welcomed. One delegation, however, cited the need for a more detailed analysis of the lead agency concept. The same delegation suggested that the question of unpredictability referred to in para. 12 of the above document should not be overemphasized, and that it need not preclude efforts to develop efficient planning mechanisms.

18. On the question of appeals, delegations, while acknowledging certain drawbacks from UNHCR's perspective, stressed the usefulness of consolidated appeals. One delegation favoured aligning them with the calendar year. A

question was raised regarding the reference in paragraph 11 of EC/46/SC/CRP.9 to a "DHA Consolidated Appeal"; it was later explained by the Secretariat that this was erroneous, and should have read "United Nations Consolidated Appeal".

19. One delegation underlined the need to finalize the proposed UNHCR/UNICEF Memorandum of Understanding; in this regard, another delegation requested a briefing on the Memorandum. Regarding internally displaced persons, one delegation thought that ECOSOC should examine the role of DHA as a coordinator, at the headquarters level. With reference to EC/46/SC/CRP.7, another delegation requested more information on service packages. The importance of timing in the consideration of the ECOSOC resolution was mooted, with one delegation emphasizing the importance of presenting to the 1996 ECOSOC session a solid document on the topic.

VII. REPORTS RELATING TO OVERSIGHT

20. A Background Note on International Procurement (EC/46/SC/CRP.6) was available to the Standing Committee. It was agreed that the Secretariat would organize an informal meeting for Governments to explain and discuss further UNHCR's procurement mechanisms. Delegations stressed that procurement should be fair and cost-effective, whether undertaken directly by the Office or through implementing partners.

21. Addressing general audit issues, the Controller stated, that although the report of the ACABQ on the Board of Auditors report (A/AC.96/853/Add.1) had been issued on 31 October 1995, and although UNHCR had already provided an initial response to the Board of Auditors report at the Sub-Committee on Administrative and Financial Matters in October 1995, the issues it contained were still current and still occupied the attention of UNHCR. He asked that the Committee consider the report in conjunction with the papers on Audit Issues (EC/46/SC/CRP.13), Property (EC/46/SC/CRP.5) and Procurement (EC/46/SC/CRP.6).

22. The Controller pointed out that the paper on audit issues comments on UNHCR's response to the recommendations made by the auditors and highlights improvements to the audit process made by UNHCR. It was also intended to open discussion of any constraints to the follow-up of particular audit comments or for suggestions for improvements. He noted in particular that there had been recent cases of the findings and recommendations of the auditors having been amplified out of context in certain fora, like the Fifth Committee, and particularly the media.

23. He also told the Committee that he would be meeting with the Director of the Board of Auditors personally in the near future to discuss the audit process and UNHCR's concerns.

24. The Controller then presented the paper on property for consideration by the meeting. He pointed out that the paper was, in part, a response to the audit observations on property in the Board of Auditors report which referenced "inventory management" and "vehicles" in particular. The paper provided further information on the new Asset Management System which involves both a revised set of procedures - which reinforce delegated responsibility in the field - and a

tracking and monitoring software package that provides a comprehensive database and can produce a variety of management reports.

25. As part of his presentation, the Controller provided an update on the figures supplied in the paper. Since the paper was produced the pace of implementation had been rapid and the number of countries that had submitted data had risen from 38 to 71, which represented approximately $ 140 million in recorded assets. In addition, the software was now available on the Local Area Network at Headquarters.

26. Delegations intervening on this issue welcomed the more systematic use of reports by the Committee and generally congratulated UNHCR for being on the right track and for taking account of previous interventions by donors on the audit issue. One delegation said that although UNHCR explained some implementation problems by pointing to the constraints of emergency situations, audit comments were often directed at stable operations where emergency pressures did not play a role. There was support for the suggestion of the Advisory Committee on Administrative and Budgetary Operations (ACABQ) that they should be approached to change the rules if UNHCR found that they are not enforceable in emergency situations.

27. It was then requested that the Committee be provided with information about what issues were being reported on to the Office of Internal Oversight in New York. In addition, a delegation reminded UNHCR of the importance it attached to audit certification and reiterated its concern that the issue be looked at by UNHCR.

28. Delegations intervening on the property paper were supportive of the proposed decision and encouraged by the progress in implementation so far. A question was raised about how UNHCR deals with the accumulation and disposal of property on a global level and whether it was considered as an investment. It was requested that the Committee be provided with an annual report on property and the total figures of current assets and figures for the disposal of assets. Clarification was requested on when the other main audit issues listed in the paper would be considered.

29. The Controller responded by assuring the Committee that audit certificates were still a requirement in the UNHCR sub-agreement but that the problem appeared to be one of compliance and UNHCR was looking into the matter. He also pointed out that the reporting UNHCR undertakes to the Office of Internal Oversight then formed part of the reporting provided to the General Assembly. If, however, the Committee wished to receive some of the substance of these reports, UNHCR could find an appropriate method to share this information.

30. Regarding property, the Controller indicated that all disposal and redeployment of assets was monitored by the Property Survey Board; this used to be a centralized function, but was now in many cases delegated to Field Offices, where decisions on disposal were taken. Income from the sale of assets is credited back to the operation concerned. He also indicated that an annual report on the status of assets could be produced from the new software for the Committee's consideration.

31. Relevant Decisions on Property and on International Procurement are annexed.

32. The Director of UNHCR's Inspection and Evaluation Service introduced the paper on UNHCR's Evaluation Activities for 1996 (EC/46/SC/CRP.10).

33. One delegation asked if information could be given on evaluations carried out by UNHCR departments other than the Inspection and Evaluation Service, and said it would be useful to have an overall list of all evaluations undertaken by the Office.

34. Another delegation agreed with six of the proposed evaluations for 1996 but queried the necessity of the one on education policy, saying there had already been two Executive Committee discussions on this subject. He proposed another subject for an evaluation: the Regional Support Unit for Refugee Children (now in Rwanda) - its function within UNHCR and vis-à-vis other organizations.

35. A third delegation said it would be useful if future evaluation reports were shared with Committee members who, he said, looked forward to ongoing dialogue with the Inspection and Evaluation Service. He expressed approval of the use, for evaluation studies of external consultants with knowledge of UNHCR, and asked if plans existed for evaluations in collaboration with external partners.

36. In reply to the interventions, the Director of the inspection and Evaluation Service confirmed that it would be possible to present a report on all evaluations carried out by UNHCR. With regard to the query on education, he replied that there was a need for a review of education policy and practice, particularly at secondary and post-secondary level, through a case study approach. His Service would examine whether the study proposed on the Regional Support United for refugee children could be included in existing plans, considering the present workload and human resources available. Discussions were already being held WFP he said, with a view to joint evaluations.

VIII. MANAGEMENT AND ADMINISTRATIVE MATTERS

37. The Deputy High Commissioner reviewed the many efforts being made to enhance UNHCR's capacity to respond effectively to the growing and increasingly complex demands placed upon the Office. Efforts in the area of strengthening field operations have included: changes in emergency response; new partnerships with Governments (such as service packages), with NGOs and with other organizations; reinforced capacity for internal oversight; and initiatives in strategic planning and research.

38. In the context of these major management initiatives, he reviewed specific projects in progress, including the upgraded communications systems, addition of new databases, new asset management and inventory systems and the Career Management System.

39. The new Director of the Division of Resources Management, taking the floor on this item, said that she could summarize her task as developing and reinforcing personnel management systems to assure that the right person was in the right job at the right time.

IX. OVERHEAD COSTS OF NGO IMPLEMENTING PARTNERS

40. The Secretary of the Executive Committee gave a brief oral progress report on the work accomplished during the two informal technical consultations regarding NGO overhead costs.

X. REVIEW OF UNHCR FINANCIAL RULES

41. The Controller introduced this item by explaining that the revised version of the UNHCR Financial Rules (EC/46/SC/CRP.3) was the logical and technical extension of the Decision on Budget Structure and Governance made by the Executive Committee last year (A/AC.96/860, para.22). One delegation queried whether there was any contradiction between para.7.3 and para. 8.2 in that each appeared to state slightly different ceilings for the right of the High Commissioner to enter into obligations. Mr Fakhouri responded that para. 8.2 was in fact a complementary paragraph to para. 7.3 and that it further clarified the ceiling for obligations.

42. In reply to a question about whether UNHCR required General Assembly approval for the changes, the Deputy High Commissioner pointed out that UNHCR had the delegated authority to change its own rules as long as they were consistent with general United Nations regulations. The relevant Decision on UNHCR Financial Rules is annexed.

ANNEX
DECISIONS ADOPTED BY THE STANDING COMMITTEE

I. DECISION ON PROGRAMME AND FUNDING

The Standing Committee,

Recalling the decision of the forty-sixth session of the Executive Committee on programme, administrative and financial matters (A/AC.96/860, para.21),

(a) Notes the overall revised needs for 1996 are estimated at $ 1.328 billion, of which projected needs for General Programmes remain at $445.3 million, as approved by the Executive Committee at its forty-sixth session, and those for Special Programmes are $856.2 million;

(b) Expresses satisfaction with the positive trend in the level of contributions to General Programmes and, in view of the priority the Office attaches to the full funding of these programmes, urges it to sustain its efforts to ensure an improved and stable funding base for them;

(c) Calls, moreover, for contined and more strenuous efforts to expand and strengthen the donor base for both General Programmes and Special Programmes and requests the High Commissioner to keep the Standing Committee regularly informed in this respect;

(d) Welcomes dialogue established by UNHCR with donors, in accordance with the wishes of the Executive Committee (A/AC.96/860, para.22(d)), on funding issues and priorities;

(e) Calls for a continuing review and evaluation of current budget processes with a view to finding the optimum methods and procedures for the funding and financial management of UNHCR, consistent with the need for a secure funding base and for greater tranparency and accountability.

II. DECISION ON THE MEDIUM TERM PLAN

The Standing Committee,

Having considered UNHCR's proposed contribution to the United Nations Medium Term Plan: 1998-2001 (Programme 20: Protection and Assistance to Refugees),

(a) Endorses the contribution as a summary of the objectives to be pursued by UNHCR on the basis of its mandate in the period 1998-2001;

(b) Expresses, nevertheless, its concern that the timeframe for submission of UNHCR's contribution to the Plan did not permit detailed review by the Standing Committee;

(c) Reaffirms that the Standing Committee and the Executive Committee will, in accordance with their respective terms of reference, continue to provide appropriate governance over UNHCR's programmes and activities;

(d) Further emphasizes that the Standing Committee will, as necessary, review the Plan in order to adjust objectives and priorities as necessary in the light of evolving circumstances.

III. DECISION ON PROPERTY

The Standing Committee,

Recalling with concern the observations of the Board of Auditors on deficiencies in the management of expendable and non-expendable property,

(a) Stresses the urgent need for UNHCR to ensure that all assets are efficiently recorded and monitored;

(b) Welcomes the introduction of UNHCR's new asset management system as a means to manage and control property administered directly by the Office or placed under the care of its implementing partners and urges UNHCR to proceed with full implementation of the system at the earliest possible date;

(c) Also urges the High Commissioner to take effective interim measures, including appropriate instructions to field staff and implementing partners, be taken to ensure that all acquisitions of property are tracked appropriately in the existing system;

(d) Asks to be kept informed at the forty-seventh session of the Executive Committee of action taken on this decision.

IV. DECISION ON INTERNATIONAL PROCUREMENT

The Standing Committee,

(a) Notes the substantial increase in UNHCR's procurement activity over the last five years and improvements made in procurement practices, procedures and systems;

(b) Urges UNHCR to take all necessary measures to ensure efficient, fair and cost-effective procurement both at Headquarters and in the field, whether such procurement is undertaken directly or through implementing partners.

(c) Welcomes, in this context, the reintroduction into UNHCR's programming instructions of the requirement to establish annual purchasing plans covering a greater range of commonly used articles;

(d) Calls on UNHCR to continue to expand the scope of frame agreements with suppliers to cover purchases of frequently required goods and equipment and urges the Office, in establishing such agreements, to continue its efforts to secure maximum possible competitive offers through publicity for invitations to bid;

(e) Calls also on the Office to continue to improve systems of vendor rating and performance evaluation;

(f) Expresses concern at the low level of receiving reports issued while acknowledging ongoing efforts to improve supply chain management;

(g) Asks to be kept informed of progress made in respect of this decision at the forty-seventh session of the Executive Committee.

V. DECISION ON UNHCR FINANCIAL RULES

The Standing Committee,

Having considered the revisions to the Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees, set out in conference room paper EC/46/SC/CRP.3,

Endorses the revised Financial Rules to be promulgated by the High Commissioner on 1 February 1996, with retroactive effect from 1 January 1996.

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PRIORITY

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-seventh session

REPORT OF THE SECOND MEETING OF THE STANDING COMMITTEE (10-11 APRIL 1996)

I. INTRODUCTION

1. The second meeting of the Executive Committee's Standing Committee was opened by the Vice-Chairman of the Executive Committee, His Excellency Ambassador Ali Said Mchumo (United Republic of Tanzania).

II. ADOPTION OF THE AGENDA AND OF THE REPORT OF THE SECOND MEETING

2. The *Provisional Annotated Agenda* (EC/46/SC/CRP.14) and the *Draft Report of the 30-31 January Meeting of the Standing Committee* (EC/46/SC/CRP.15) were both adopted without revision.

3. The Deputy High Commissioner then delivered an opening statement to the Standing Committee.

III. PROGRAMME AND FUNDING ISSUES

4. The Standing Committee had before it two documents: *Update on Programme and Funding Projections for 1996* (EC/46/SC/CRP.18) and its annexed draft decision, and an *Update on Voluntary Repatriation Programmes* (EC/46/SC/CRP.23).

5. In the review of programmes, it was pointed out that the General Programmes remained at the approved level of $ 445.3 million. Programme needs under 1996 Special Programmes were now projected at $ 930.6 million, an increase of some $ 75 million over that presented to the last Standing Committee. This rise related primarily to increased needs for the former Yugoslavia of $ 50 million; other increases related to voluntary repatriation programmes and

the Comprehensive Plan of Action for Indo-Chinese refugees (CPA). The uses made of, and reimbursements to, the Emergency Fund and the Voluntary Repatriation Fund were also reviewed. Drawings on the Programme Reserve, in particular the uses made of the exceptional provision for losses on the exchange rate at Headquarters, were also considered. The current funding situation was also presented; this was comparable to the level of contributions at the same time in 1995. With overall 1996 needs projected at some $ 1.4 billion, donors were asked to be generous. The Standing Committee was reminded of the funding priority which the Office attaches to General Programmes; the trend of increased contributions over the last two years to these programmes was welcomed. Funds to support operations related to solutions (e.g., Horn of Africa, West Africa, Angola, Guatemala, Afghanistan, Myanmar, South-East Asia and the former Yugoslavia) and for the Caucasus were needed urgently, as were funds for operations in the Great Lakes Region of Central Africa.

6. Delegations made statements on a number of particular operations (Horn of Africa, CPA) and posed a number of questions (secondary income; the drawings on the Programme Reserve for Headquarters operations). One delegation noted that the increase in currently estimated programme needs was not being matched by increased contributions. The need to broaden UNHCR's donor base was underlined by several delegations. The trend of increased contributions to General Programmes was welcomed.

7. The paper on voluntary repatriation programmes (EC/46/SC/CRP.23) was the subject of a number of interventions. Making a clarification concerning paras 31 and 33, one delegation explained that only the portion of the Tanzanian border shared with Burundi had been closed, for security reasons. He recalled that nowithstanding this closure, the Government of the United Republic of Tanzania had allowed entry to some 30,000 refugees, for humanitarian considerations, between January and February of this year. Another delegation stated that the proposal to do away with the annual *Update on Voluntary Repatriation Programmes* (see EC/46/SC/CRP.22, para. 7) was only acceptable if there was no net loss of information on voluntary repatriation operations under the proposed new reporting arrangements; moreover, it was felt that in the light of the importance that the Executive Committee attached to this durable solution, the Executive Committee should be given at its annual plenary session a summary presentation of developments in regard to voluntary repatriation operations. The Secretariat responded positively to both of the concerns regarding the reporting on voluntary repatriation operations.

8. The Standing Committee adopted the related Decision on Programme and Funding (annexed).

IV. REGIONAL REVIEWS

9. The Standing Committee had before it two documents under this agenda item: an *Update on Regional Developments in Europe* (EC/46/SC/CRP.24, and Corr. 1) and an *Update on Regional Developments in South West Asia, North Africa and the Middle East* (EC/46/SC/CRP.25, and Corr.1).

10. Introducing the first document, the Director of UNHCR's Regional Bureau for Europe began with Western Europe, underlining UNHCR's commitment to continuing dialogue with the European Union and the European Commission, and stating that

refugee questions in Europe should not be seen in isolation from overall migratory patterns. The further development of a temporary protection regime, was mentioned as part of a comprehensive approach to address the complexity of contemporary refugee flows.

11. In Central Europe, UNHCR would seek to formulate a comprehensive policy on transit migration movements. It would also continue to be involved in the legislative process, institution-building, training and integration. The Director then drew attention to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (CIS Conference) scheduled for the end of May.

12. Delegations expressed support for UNHCR's role in the CIS Conference and in post-conflict Yugoslavia. One delegation noted with satisfaction UNHCR's intention to pursue programmes in the field of integration in Eastern Europe. One delegation pointed out that the welcome reduction in the length of Standing Committee documents had resulted in lack of precision concerning proposed legislation in her country.

13. Introducing the second regional review, EC/46/SC/CRP.25 and Corr.1, the Director of UNHCR's Regional Bureau for South West Asia, North Africa and the Middle East began by noting that the region had been relatively stable in recent times, and highlighted the major programmes in the region geared towards the facilitation of durable solutions, such as voluntary repatriation, reintegration and rehabilitation in returnee areas. The Director added that resettlement was being pursued as a durable solution only for the most vulnerable groups in the Middle East, such as groups affected by the Persian Gulf War. He underlined UNHCR's concern in protecting refugees and asylum-seekers in the region in view of the fact that most of the countries in question neither were neither party to the international refugee instruments, nor had they adopted national procedures for determining refugee status. Two major problems - Palestinian and Turkish Kurd refugees - were cited.

14. In addition to its traditional activities in providing protection to and seeking durable solutions for refugees, the Regional Bureau had also initiated non-traditional, pro-active approaches, in Central Asia, for example, aimed at prevention of population displacements and capacity-building of local authorities. The Director concluded by saying that the Bureau saw 1996 as the year of consolidation of its efforts towards durable solutions and prevention, and of enhancement of its efforts in creating greater regional public awareness of UNHCR's activities.

15. Delegations noted with interest UNHCR's objectives and activities in the region, and asked several questions. One delegation sought more information on Western Saharan refugees in North Africa. Another delegation requested clarification on education assistance provided to certain refugees in Central Asia, and also asked for information on elderly European refugees in North Africa.

V. CONSIDERATION OF ECOSOC RESOLUTION 1995/56

16. Documentation under this agenda item consisted of two conference room papers (*UNHCR Assistance Activities in Countries of Origin* (EC/46/SC/CRP.16) and *UNHCR's Protection Role in Countries of Origin* (EC/46/SC/CRP.17)), a background paper on post-conflict reconstruction and a copy of the recently signed Memorandum of Understanding between UNHCR and UNICEF.

17. Two speakers -- the Director of DHA's Geneva office, and the Assistant High Commissioner -- initiated discussions on this topic, which at this meeting focused on solutions and UNHCR involvement in countries of origin. The first speaker briefed the Standing Committee on the role of DHA in the follow-up to the ECOSOC resolution, notably on progress made in inter-agency consultations.

18. The Assistant High Commissioner noted that UNHCR continued to attach great importance to achieving a better interface between relief, rehabilitation and development, saying that an important outcome of the ECOSOC process would be to establish the parameters within which this interface can be more systematically achieved. He emphasized that UNHCR's assistance activities in countries of origin cannot be reduced to their assistance component alone and underlined that the protection and monitoring of returnees plays a crucial role in promoting and consolidating repatriation solutions. He concluded saying that while Governments are right in demanding coherence, complementarity and cost-effectiveness from the United Nations and its agencies, so are these agencies entitled to expect coherent direction from Governments to guide them in a manner that helps them establish similar priorities within a common strategy.

19. Taking the floor on this issue, a number of delegations spoke on the need to take into account different mandates, and complementarities for human rights, development and humanitarian assistance. DHA's role, and that of the IASC, were stressed. The newly signed UNHCR-UNICEF Memorandum of Understanding was warmly welcomed by delegations. One delegation called for further elaboration of certain aspects of the Memorandum; others urged UNHCR to sign detailed Memoranda with other agencies. One delegation cited the importance of developing both medium-term and long-term strategies, and underlined the need to recognize that socio-economic variables are inherent in return. Another urged the Office to bear in mind the 'quick' aspect of quick impact projects. Two delegations spoke of state responsibility, stressing that UNHCR's role must not be to substitute for such responsibility. One delegation noted that a focus should be maintained on prevention and combating root causes in the country of origin. Finally, one delegation urged the retention of a terminological distinction between the voluntary repatriation of refugees, and the repatriation of non-refugees.

VI. IMPLEMENTING PARTNERS: OVERHEAD COSTS

20. The Standing Committee had before it a paper entitled *Report on Informal Technical Consultations on Overhead Costs of NGO Partners* (EC/46/SC/CRP.21). The Executive Committee Rapporteur, who had chaired the informal consultations, reported on the consultative process. The Director of the Division of Programmes and Operational Support reviewed the proposal before the Standing Committee in the draft decision; in particular, he addressed the questions of the initial proposed standard percentage of 8 per cent as the level of UNHCR's

contribution, under certain conditions, towards Headquarters costs and the likely financial impact of the proposal; the latter was hard to estimate because of the variables involved, but it was felt that the impact would not be significant.

21. Some delegations expressed satisfaction with the proposed decision, including the initial ceiling figure of 8 per cent (which several delegations recognized as a compromise, but nonetheless reasonable, figure); they stressed that this was an initial figure, subject to review. Other delegations felt, however, that further consultations were required on both the level of the initial standard percentage and the financial impact of the proposal. It was felt that the way the figure was arrived at should be more transparent. Another delegation expressed doubts as to whether the conditions under which the standard percentage would be applied were readily implementable. Questions were also asked about the impact of the proposal on UNHCR's overhead costs. One delegation asked about the United Nations system-wide implications should the proposal be adopted. The Director of the Division of Programmes and Operational Support responded to these observations and questions.

22. It was decided that the consultations would continue on the level of the initial standard percentage, so as to enable a decision to be taken on this matter at the June 1996 meeting of the Standing Committee. The proposed decision before the Standing Committee, with the relevant amendments, was adopted (annexed).

VII. REPORTS RELATING TO OVERSIGHT

23. The Standing Committee had before it a document entitled: *Follow-Up to Audit Recommendations: Programme and Financial Management* (EC/46/SC/CRP.20). The Secretariat also drew attention to a related document recently published by UNHCR: *Partnership: a Programme Management Handbook for UNHCR's Partners* (UNHCR, March 1996). UNHCR's Directors of the Division of Programmes and Operational Support, and of the Division of the Controller and Management Services introduced the item.

24. Delegations in their interventions focused on audit recommendations related to work plans, the proliferation of implementing partners, the selection criteria for such partners, audit certification, the maintenance by implementing partners of separate accounts for UNHCR funds, and monitoring of project implementation. It was stated that NGO capacity in the area of financial management needed to be enhanced. On the question of audit certification, one delegation felt that should the Board of Auditors require certification at the sub-project level, this should be undertaken by UNHCR, despite the costs. In its response to the various interventions, the Secretariat noted, *inter alia*, that it was making sustained efforts to ensure compliance with the requirement for separate accounts for UNHCR funds.

25. The related draft decision, amended to reflect the above interventions, was adopted (annexed).

VIII. MANAGEMENT AND ADMINISTRATIVE MATTERS

26. The Deputy High Commissioner made an oral presentation on progress made in a number of recent management initiatives undertaken by UNHCR. This was followed by a presentation by the Deputy Director of the Division of Controller and Management Services on information management.

IX. END OF YEAR ACCOUNTS FOR 1995

27. UNHCR's Director of the Division of the Controller and Management Services presented this item, for which the Standing Committee had before it an *Information Note on Income and Expenditure for the Year 1995* (EC/46/SC/CRP.19).

X. EXECUTIVE COMMITTEE DOCUMENTATION

28. The Standing Committee had before it a document entitled *Executive Committee Documentation* (EC/46/SC/CRP. 22). The one delegation to intervene on this issue stated the value that his Government attached to the country specific information in the 'country chapters', as well as the information in the update on voluntary repatriation. He said that his delegation could only accept the draft decision if there was an assurance given that none of this information would be lost in the proposed new documentation. This assurance was given by the Secretariat.

29. The Standing Committee then adopted a draft resolution (with some technical additions) on Executive Committee Documentation (annexed).

XI. ANY OTHER BUSINESS

30. The Secretary of the Executive Committee suggested some changes to the work programme of the Standing Committee, which were agreed to through a decision on amendments to the work programme of the Standing Committee (annexed). The Secretary agreed with a suggestion by one delegation that in future the text of any such decisions be made available to delegations on their desks. There being no further business, the Chairman adjourned the meeting.

DECISIONS ADOPTED BY THE STANDING COMMITTEE

I. DECISION ON PROGRAMME AND FUNDING

The Standing Committee,

Recalling the decision of the forty-sixth session of the Executive Committee on programme, administrative and financial matters

(a) Notes that overall revised needs for 1996 are currently estimated at some $ 1.4 billion of which projected needs for General Programmes remain at $ 445.3 million, as approved by the Executive Committee at its forty-sixth session, and those for Special Programmes are $ 930.6 million, including $ 190.8 million for voluntary repatriation programmes;

(b) Notes the uses made of the Emergency Fund, the Programme Reserve and the Voluntary Repatriation Fund in accord with the governing criteria;

(c) Expresses appreciation for the additional information on contributions to UNHCR's programmes and notes the appeal of the High Commissioner to donor Governments for an early announcement of contributions so as to permit continuation and timely implementation of the various assistance programmes;

II. DECISION ON THE SUPPORT COSTS OF INTERNATIONAL NGO PARTNERS

The Standing Committee,

(a) Welcomes the proposals for a revised and clarified policy on support costs available to international NGOs set out in EC/46/SC/CRP.21;

(b) Reaffirms the importance of the principle of partnership whereby NGOs contribute to refugee programmes with resources that they themselves raise;

(c) Encourages all those in a position to do so to assist NGOs to continue to meet, or to develop the capacity to meet, these support costs, and particularly headquarters support costs, noting the already heavy burden on UNHCR voluntary funds;

(d) Recognizes nevertheless that the headquarters support costs of international NGOs implementing programmes on behalf of UNHCR are a legitimate charge to UNHCR voluntary funds;

(e) Decides that UNHCR should, on request from an NGO, participate in bearing headquarters support costs on the conditions set out below:

(i) that a standard percentage would be applied by UNHCR in respect of such costs to all funds provided by UNHCR, with the exception of funds provided for activities that do not entail headquarters support costs for that programme;

(ii) that, in cases where the actual audited percentage of headquarters support costs of an NGO is lower than the standard percentage, the lower figure shall be applied;

(iii) that, in order to qualify for such support, the contribution of an NGO to the programme concerned must be determined by UNHCR to be at least sufficient to offset UNHCR's total contribution to all support costs for that programme;

(iv) that an NGO contribution to a programme shall be defined as an input which would otherwise be an appropriate charge on UNHCR funds;

(v) that the time frame over which an NGO contribution will be taken into account shall be the current and previous calendar years;

(vi) that the geographical scope within which an NGO contribution will qualify for consideration shall be that of a UNHCR regional programme, where such a programme exists or, otherwise, of an entire country programme;

(f) Decides that the initial standard percentage shall be determined by the Standing Committee at its June 1996 meeting.

(g) Encourages UNHCR to continue dialogue with NGOs on other issues of mutual concern;

(h) Requests the High Commissioner to keep the Standing Committee regularly informed on the implementation and financial impact of the modified policy, bearing in mind the observations of the United Nations Board of Auditors and the Advisory Committee on Administrative and Budgetary Questions, and to recommend any change to the agreed standard percentage that may be considered necessary in the light of experience.

III. DECISION ON AUDIT FOLLOW-UP: PROGRAMME AND FINANCIAL MANAGEMENT

The Standing Committee,

(a) Recalls the serious concern expressed by the Executive Committee at its forty-sixth session in respect of the observations of the Board of Auditors and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) on aspects of programme and financial management, in particular those relating to the monitoring and control implementing partners,

(b) Urges UNHCR to take all necessary steps to ensure adequate managerial and financial control of its programmes, including those implemented by its partners;

(c) Notes with satisfaction initiatives taken by the Office to ensure improved compliance by implementing partners with established policies and procedures and urges the continuation of these efforts;

(d) Welcomes in this regard the publication of UNHCR's Programme Management Handbook for Implementing Partners, as well as additional steps taken to promote the training of implementing partners and of UNHCR staff dealing with programme management;

(e) Recognizes the constraints UNHCR may face in the selection of implementing partners in emergency situations but calls, nevertheless, on the Office to make every effort to ensure that such partners are selected on the basis of the criteria set out in section 1.6 of the Programme Management Handbook for Implementing Partners, in particular their financial reliability, as well as their proven efficiency and effectiveness;

(f) Welcomes examination by the UNHCR Audit Committee of the question of audit certification of implementing partners and looks forward to its recommendations in this respect;

(g) Asks to be kept informed of progress made in respect of this decision at the forty-seventh session of the Executive Committee.

IV. DECISION ON EXECUTIVE COMMITTEE DOCUMENTATION

The Standing Committee

Recalling its earlier decisions on Executive Committee Working Methods (A/AC.96/860, para.32) and on Budget Structure and Governance (A/AC.96/860, para.22), as they relate to documentation,

(a) Decides, in the light of its experience of its systematic review of UNHCR programmes at the country level and of the need to ensure efficiencies in relation to associated documentation, to modify the range of documentation prepared for the Executive Committee;

(b) Decides further, in accordance with the proposals set out in document EC/46/SC/CRP.22, para.7, that:

(i) the "country chapters" prepared for each regional review by the Standing Committee will replace those that have been traditionally prepared for the annual session of the Executive Committee;

(ii) the Overview document prepared by the Secretariat for the annual Executive Committee session and the Standing Committee immediately prior to it will continue to cover in summary form the various regions (as well as Headquarters and the category "Other Programmes"); this Overview document will have in an additional annex the country tables which have traditionally been included in each of the Executive Committee's "country chapters";

(iii) the annual document on Voluntary Repatriation will be discontinued; information on the various voluntary repatriations will be integrated as of 1997 into the new "country chapters" prepared for the regional reviews undertaken

by the Standing Committee, or in the Overview document submitted to the annual plenary session of the Executive Committee.

(c) Decides to review these new arrangements at the first session of the Standing Committee in 1997.

V. DECISION ON AMENDMENTS TO THE WORK PROGRAMME OF THE STANDING COMMITTEE

The Standing Committee,

(a) Decides to add to the agenda of the June meeting of the Standing Committee consideration of the Secretary-General's draft report on enhancing the internal oversight mechanisms in operational funds and programmes,

(b) Notes that the final report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) will not be received in time for consideration at the September meeting of the Standing Committee,

(c) Decides, therefore, to hold an additional half-day meeting in early October, before the forty-seventh session of the Executive Committee convenes on 7 October, to review the ACABQ report.